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EXECUTIVE OFFICE OF THE PRESIDENT

Washington, D.C.

No. 22

a quarterly report
of the Council
on Wage and
Price Stability

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EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON WAGE AND PRICE STABILITY
WINDER BUILDING, 600 - 17TH STREET, NW.
WASHINGTON, D.C. 20506

The President
The White House

Dear Mr. President:

Enclosed is the twenty-second quarterly report on the activities of the Council on Wage and Price Stability. These reports are required by Section 5 of the Council on Wage and Price Stability Act. This report covers the Council's operation during the first quarter of the three-month period, January through March, 1980.

The activities of the Council during that time are reported in the body of the report. A chronology of events during the quarter and a complete listing of all Council publications, reports, and filings appear in appendices.

Respectfully,

Alfred E. Kahn
Chairman

W. Kip Viscusi
Deputy Director

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COUNCIL AUTHORITY

Congress created the Council on Wage and Price Stability through enactment of The Council on Wage and Price Stability Act (P.L. 93-387), signed by the President on August 20, 1974. The original was amended and the authority subsequently extended by PL 94-78, PL 95-121, and PL 96-10.

The extension signed by the President on May 10, 1979 continued the authorization until September 30, 1980, increasing the authorization for expenditures to $6,952,000 during fiscal year 1979; to $8,483,000 for fiscal year 1980, and provided up to 233 employees. Previously, the Council had been authorized $2,210,000 annually for 39 employees.

Public Law 96-10 directed the Council additionally to focus on productivity and full employment. A report to Congress on productivity was also ordered.

Executive Order 12092 delegated responsibility to the Council to publish wage and price standards, to monitor compliance and identify noncompliers.

A text of Public Law 93-387, as amended, appears in the appendix of this report.

Council Responsibilities

It is the Council's responsibility under the Act to monitor and analyze inflationary activities throughout the economy. In the private sector, the Council examines price and wage activities for inflationary impact. The Council conducts comprehensive studies of certain major industries as well as investigations of specific price or wage increases as they are announced. These investigations are intended to discover whether price increases are warranted by cost or demand considerations. In some instances, the Council has held public hearings to gather data and has issued public reports of its findings. Where the Council has found a wage or price increase to be inflationary, it has issued public statements of its findings and, on occasion, has requested a delay or a reduction in the increase.

The Council also reviews the activities and programs of the departments and agencies of the Federal government to discover whether they have any inflationary impact. It does this in two ways. First, with respect to the independent regulatory agencies and the Executive Branch agencies, the Council, pursuant to its statute "review(s) and appraise(s) the various programs, policies, and activities of the departments and agencies of the United States for the purpose of determining the extent to which those programs and activities are contributing to inflation; and intervene(s) and otherwise participate(s) on its own behalf in

rulemaking, ratemaking, licensing and other proceedings before any of the departments and agencies of the United States, in order to present its views as to the inflationary impact that might result from the possible outcomes of such proceedings." Second, the Council provides staff support for the Regulatory Analysis Review Group created by Executive Order 12044.

The Council also is responsible for publishing wage and price standards, monitoring compliance with the standards, and publishing a list of firms which are out of compliance with the standards.

CHAPTER I

THE COUNCIL AND THE ANTI-INFLATION PROGRAM

A Brief Review

Despite evidence of an imminent slowdown in economic growth, the nation's inflation rate climbed sharply during the first quarter of 1980. The price of goods included in the Consumer Price Index market basket rose at an annual rate of about 18 percent during the three-month period, compared to a 14 percent rate of increase during the preceding six months.

As they had throughout 1979, energy prices and mortgage interest costs were the largest contributors to the general price surge. However, virtually all sectors of the economy reported an acceleration in price increases during the quarter. The cost of apparel and upkeep, medical care, and entertainment all rose at annual rates of 15 percent or more during the quarter. Only food prices escaped the general upward trend.

More troubling than the overall acceleration was the corresponding increase in most measures of the underlying rate of inflation during the quarter. (The underlying rate of inflation abstracts from shocks such as fluctuations in energy prices and interest rates.) The CPI-based measure of the underlying rate, which had been relatively stable, rose at an annual rate of 12.7 percent during the first quarter, compared to about 8.4 percent during the final half of 1979.

The jump in the underlying rate represented a particular concern to the Council, because it was precisely this phenomenon that the pay-price standards were designed to prevent. The standards had played an instrumental role in containing the underlying rate during 1979. The overall inflation rate had accelerated sharply in 1979, with the CPI rising 13.3 percent, but the underlying rate rose a much more moderate 7.8 percent. The Council estimates that without the standards the underlying rate of inflation would have been 1 to 1.5 percentage points higher during the first year and a half of the program.

The President and his economic advisers determined that market forces and the standards were not sufficient to slow the latest price surge. A decade of constantly rising prices had conditioned Americans to view inflation as inevitable. Due to these inflationary expectations, Americans undertook large personal debts in order to buy goods before prices rose further.

In order to reverse this inflationary psychology, the President announced on March 14 a series of new anti-inflation moves, including additional discipline in the federal budget and restraints on consumer credit. Subsequent contraction in

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consumer debt and a moderation in price rises during the second quarter indicate that the new moves have had dramatic success in reversing inflationary trends.

The Council and the Program

In February, the Council released a report that analyzed price increases by U.S. petroleum refiners during the first year of the anti-inflation program (1978:III to 1979:III) and the relationship between those price increases and the Council's price standards. This was the Council's first technical analysis of the relationship between pricing actions and the price standards in a specific industry. The report, a joint product of the Office of Planning, Policy, and Evaluation and the Office of Price Monitoring, used both publicly available data and aggregative compilations of the firm-specific price-monitoring data submitted to the Council. The report focused primarily on petroleum refiners since crude oil prices, the prices of imported products, and spreads between wholesale and retail prices are largely beyond the reach of the Council's monitoring efforts.

On March 18, the Council published (45 FR 17125) in interim final form, the new pay standard that was developed by the Pay Advisory Committee and the Council. Previously, an interim second program-year pay standard allowed 7 percent plus a 1 percent catchup for those units not receiving a cost-of-living increase during the first program year. In consultation with the Pay Advisory Committee, the Council established the new pay standard for the second program year as a range of 7.5 to 9.5 percent. Annual pay-rate increases are expected to average 8.5 percent, or the mid-point of the range. On March 28, the Council published (45 FR 20453) a set of interpretive questions and answers on the new pay standard.

In early March, the Price Advisory Committee issued its interim report on its responsibilities in relation to the ever widening gap between the price standards and the realities of our inflation experience.

CHAPTER II

PRICE MONITORING

The first quarter of 1980, while not marked by major changes in the price standards, was nonetheless a period of great intensification of the Price Monitoring Office's activities. With the Consumer Price Index registering a 17.2 percent compound annual rate for the three months ended in February, 1980, the President on March 14 announced a strengthened anti-inflation program that included an expansion of the voluntary price standards program. The expansion mainly involved enlarging the universe of companies that regularly report price data to the Council and developing a program of selective prenotification of price increases. To manage this intensified monitoring effort, the President proposed an expansion of the Council's staff. The Office of Price Monitoring (OPM) immediately began implementing these policies, but only the identification of companies with revenues between $100 million and $250 million were completed within the remaining two weeks of the quarter.

Prior to the President's announcement, the Price Monitoring Office had largely completed refining and supplementing the second-year standards. Early in the first quarter of 1980, the Council issued the interim final standards for financial institutions and insurance companies and the second-year Implementation Guide. In late January, the Council amended the gross-margin standard for petroleum refiners with a requirement that companies establish a separate compliance unit for any petroleum-refining operations. Early in March, the final financial and insurance standards were released, and shortly afterwards the compendium of second-year price standards was published. In late March, the Council amended the price standards in accordance with the President's announced program by lowering the reporting threshold for companies to $100 million in revenue and by tightening the intermediate price and gross-margin limitations.

Concurrently, OPM continued its routine monitoring activities--determining companies' compliance, investigating pricing activities in targeted inflationary sectors, analyzing exception requests, and evaluating reconsideration requests. The analysis of companies' data submissions concentrated on the reports for the fourth quarter of the first program year, since these summarized firms' compliance for the first year. The first-quarter PM-1 filing was waived for most companies, although OPM targeted several inflationary sectors for special review. Companies in such industries as petroleum refining, hotels, and beer brewing were requested to submit these reports. Meanwhile, the review and resolution of exception requests and the evaluation of requests for reconsideration of Council exception and noncompliance decisions continued to be major activities for OPM's staff.

Second-Year Standards

With the formulating and drafting of the second-year price standards largely completed during the third and fourth quarters of 1979, OPM actions in this area consisted primarily of supplementing and amending the existing standards. The second-year Implementation Guide, which was prepared during the fall of 1979, became available to companies on January 16, 1980. The second-year standards for financial institutions, and providers of insurance, also under preparation during the fall, were released in interim form on January 8 and in final form on March 7. With these final sections of the price standards completed, the Council in late March published the Second-Year Price Standards: A Compendium, which assembled all the information about the second-year program in one package.

During the first quarter, the Council also made some substantive amendments to the standards in response to unforseeable problems and complications. The first of these amendments, issued on January 16, corrected inconsistencies and tightened the standards as they applied to petroleum refiners. These changes directed companies to exclude natural-gas liquids from price calculations, to treat refinery operations as separate compliance units, and to deduct petroleum inputs used as refinery fuel from revenues in calculating gross margins. Later in the quarter, after the President had announced the new anti-inflation program, the Council amended the standards to incorporate the President's decision to lower the reporting threshold to $100 million in annual revenues. In a related action designed to limit price increases during the second quarter of 1980, the Council amended the intermediate price and gross-margin limitations by restricting price and margin increases during that quarter to seven-eighths of the full two-year allowable increase.

During the first quarter, the Council completed work on the form used by companies to report compliance data--Form PM-1 (Second Program Year). The form had to be revised extensively from the first-year version because of changes in the second-year standards, suggestions from companies using the form, and the experience of the Council's staff in analyzing first-year data submissions. Because of the extent of these revisions, the new PM-1 form did not receive approval from the Office of Management and Budget or become available to companies until midway through the first quarter.

Monitoring Activities

Price Monitoring

The primary activity of the Office of Price Monitoring is monitoring companies' compliance with the price standards. This is done primarily by reviewing, analyzing, and acting on companies' quarterly reports on prices, margins, or profits. During the first quarter, OPM concentrated its efforts on the

fourth-program quarter reports received from 1,100 regularly reporting companies with net revenues over $250 million and from several hundred selected smaller companies in selected sectors. Among the latter were petroleum refiners and manufacturers of cement, paper, and brick. In addition to analyzing the PM-1s, the Price Office staff held numerous meetings with industry representatives and carefully followed price trends and business activities in various economic sectors.

Because of the importance of thoroughly reviewing fourth-quarter compliance reports and because of delays in printing the PM-1 forms for the second program year, the Council in early February waived the filing of PM-1s for most companies for the first quarter of the second program year. The special monitoring of inflationary sectors, however, was an exception to this decision; consequently, companies in petroleum refining, beer brewing, soft-drink bottling, air transportation, hotels, newspaper publishing, and manufacturers of certain machinery and electrical equipment were asked to file PM-1s covering the first three months of the second program year. In addition, the Price Office requested first-quarter reports from companies that had compliance problems during the first year, or had submitted inaccurate company organization reports (CO-1) for the second program year.

Late in the first quarter, the President's March 14 announcement of a lowered reporting threshold substantially increased the Office's monitoring responsibilities. With the threshold lowered to $100 million from $250 million in annual revenues, the number of companies subject to the reporting requirement increased from 1,300 to an estimated 3,000, and the number of companies submitting quarterly reports to the Council grew from 1,100 to 2,600 (banks, insurance companies, and utilities, being subject to Federal or state regulation, do not report compliance data directly to the Council). While the expansion in the universe of reporting companies did not affect most of the Price Office's activities during the first quarter, work commenced in the last two weeks of the period on identifying the newly reporting companies and preparing for the heavier workload that they would create.

Noncompliance Actions

By the end of the first quarter of 1980, the Price Office had completed its review of most of the fourth-program-quarter compliance unit reports. Based on these reports or comparable information, the Office during the quarter issued forty Notices of Probable Noncompliance, and had 64 additional Notices in various stages of preparation at the quarter's close.

A Notice of Probable Noncompliance initiates, rather than ends, a process of discussion and negotiation between a compliance unit and the Council. During the quarter, discussions

were concluded for sixteen new or previously outstanding Notices. In six of these cases, the Council found the compliance unit to be out of compliance with the price standards. One such compliance unit--the refining operations of a major oil company--subsequently agreed to take corrective action to bring itself back into compliance. In three cases, companies took corrective action in response to a Notice to avoid a noncompliance decision. In seven cases, the Council resolved the notice by finding the company in compliance or by approving company requests for exception from the price or margin standard in question.

Exceptions and Reconsiderations

In addition to monitoring compliance, the Price Office receives and acts on requests from companies for exceptions to the price and modified price standards. Under the Council's rules, companies subject to the reporting requirement may request such exceptions for reasons of uncontrollable costs, undue hardship, gross inequity, or inability to compute rates of price change. The Price Office reviews these requests to determine if they are warranted, and issues decisions granting or denying the requests.

During the first quarter of 1980, the Council received 126 exception requests--16 for the first program year and 110 for the second. The Price Office closed 144 of these and other pending exception requests during this period, with 72 decisions for first-year requests and 72 for second-year ones. Of the number of cases completed during the quarter, only 52 (or 36 percent of the total requests closed in this period) were granted. The remaining requests were either denied, closed administratively or by interpretation, or withdrawn by the company.

Under the Council's procedures, companies may request reconsideration of decisions on exceptions requests and of noncompliance actions. Ten reconsideration cases were resolved during the first quarter of 1980, bringing the total number of reconsideration decisions to 53. Eight of the ten new decisions were reconsiderations of exception decisions, and two were for noncompliance actions. Half of the former were approved on reconsideration and half denied; all of the latter were denied on reconsideration.

Price Advisory Committee

The Price Advisory Committee grew progressively more knowledgeable and active during the first quarter of 1980. Meeting on the second Wednesday of each month, the Committee steadily expanded its sphere of investigations, studying both the operations of the price standards and topics such as health care costs that were of special interest to Committee members.

The Committee's studies led to the issuance of an interim report on March 13, 1980, evaluating the price standard's effectiveness. The Committee judged the construction of the price standards to be "sophisticated and intelligent," but expressed concern about the impairment of the program's credibility because of price increases in areas not covered by the standards and the inadequacy of Council resources for monitoring compliance. A majority of the Committee suggested that the program should be expanded, including increasing the budget for monitoring, extending the universe of reporting companies to include more firms with revenues less than $250 million, and requesting quarterly information on price changes from all reporting companies able to compute such data. In addition, the Committee urged the review of the price standards after the completion of the second-year pay standards. Subsequently, the Committee met on March 28 to discuss the relationship between the price standard and the pay standard that was approved by the Chairman of the Council on May 13. In mid-April, after the end of the quarter, the Committee then issued a report recommending adjustments in the price standards to conform with the new pay standard.

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CHAPTER III

PAY MONITORING

The major concern of the Office of Pay Monitoring during the first quarter of 1980 was the development of the pay standard for the second program year.

During the fourth quarter of 1979 the Pay Advisory Committee was deliberating its recommendations on the standard. On December 18, 1979 the Committee recommended a change in the treatment of increment increases under the standard. This was accepted by the Council on January 17, 1980. On January 22 the Committee presented to the Council a set of principles which included a recommendation for the pay standard for the second program year. The Council announced the new standard on March 13. Questions and answers interpreting the standard were released on March 26. Prior to the promulgation of the new standard the first year standard remained in effect.

Concurrent with work on the pay standard the Office of Pay Monitoring pursued its various functions related to administering the pay standard and monitoring compliance. These functions included collecting and analyzing company filings, reviewing requests for exceptions to the pay standard, and working on noncompliance actions.

Monitoring

Under the Council's procedures, companies with 5,000 or more employees were asked to report their company organization for pay for the second program year on Form CO-1(Pay). These reports were due January 4. The information provided enabled the staff to develop the universe of compliance units with 5,000 or more employees for the second program year. Compliance units with 5,000 or more employees have been asked to report their pay-rate increases for the second program year; the threshold in the first year was compliance units with at least 10,000 employees.

On January 28, the Office mailed Form PAY-2 to 200 public sector entities with at least 5,000 employees. These entities are requested to provide information on their pay-rate increases for their pay plans in effect October 1, 1979, sixty days after their pay plan year ends.

During the first quarter of 1980 the staff completed reviewing PAY-1 (Prospective) filings which provided prospective pay-rate increases for the first program year from compliance units with 10,000 or more employees. Also, during February and March, the staff began screening and reviewing PAY-1 (Actual) forms. On January 15, 1980 compliance units with at least 10,000 employees were asked to report their actual pay-rate increases for the first program year by February 15. The data from PAY-1 (Actual) filings generally provided the first opportunity the

staff had to review pay-rate increases for compliance with the standard for nonrepresented employee units.

The staff had developed a universe of compliance units with 10,000 employees or more, from which it expected PAY-1 (Actual) filings. By the end of March the staff began follow-up actions for those companies that had not reported.

Exceptions and Noncompliance Actions

A total of 100 exception cases were closed during the first quarter of 1980, of these, 39 were for collective bargaining units and 61 were for non-collective bargaining units. Six cases previously denied were closed during this period under the reconsideration process.

Presented below is a distribution of these cases by type of exception and status. A new exception category for COLA-related inequities was added when the second year pay standard was developed. Prior to March 13 COLA-related inequities generally had been considered under the gross inequity exception category.

(Table appears on following page)

Pay Exception Requests Closed, First Quarter 1980, and Pending Cases as of 3/31/80, by Type of Exception[1/]

Status	Productivity Work-Rule Tandem	Change	Acute Labor Shortage	Gross Inequity	COLA-Related Inequity[2/]	Total
Approved	6	2	12	50	0	70
Partially Approved	0	1	2	11	0	14
Denied	0	0	0	1	0	1
Self-Admin.	1	1	1	4	0	7
With-drawn	2	0	1	5	0	8
Total	9	4	16	71	0	100
Pending as of 3/31/80	1	1	8	17	2	29

[1/] Includes Reconsiderations
[2/] New exception category effective upon publication of second year standards 3/13/80.

Based on the monitoring of collective bargaining agreements negotiated during the first program year the office had issued 47 Notices of Probable Noncompliance by the end of the first quarter of 1980. Of these, 24 had been resolved in favor of the company, 16 had a decision of noncompliance, and seven still were outstanding. Reconsiderations requested for six of the noncompliance decisions also were outstanding at the close of the quarter.

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CHAPTER IV

REGULATORY ANALYSIS AND REVIEW

Bus Entry

On January 7, the Council submitted comments to the Interstate Commerce Commission supporting a petition of the Transportation Consumer Action Project that asked the ICC to institute a rulemaking proceeding to ease regulatory barriers to entry into the intercity bus industry. The Council stated that relaxing entry restrictions could increase competition, and if accompanied by reform of rate regulation, could reduce upward pressure on bus fares.

The Council believes that competition generally leads to the most efficient allocation of resources. Only where the free market fails, for example where there are economies of scale of so great a magnitude that it is more efficient to have one or only a few producers, should government regulation be employed. The Council found that the intercity bus industry is not characterized by sufficient economies of scale to warrant economic regulation. In fact, the high degree of concentration that currently exists in the industry is due primarily to past ICC regulatory practices.

Easing regulatory barriers to entry in the intercity bus market could benefit both consumers and the industry. Last July, the Commission issued a decision granting general temporary authority to regular-route motor carriers of passengers. Reports filed with the ICC show considerable satisfaction with the experiment on the part of participating bus companies and their passengers. While the temporary nature of the rule precluded major changes in operations, the response by bus companies and passengers suggests that substantial benefits could be derived from further, permanent relaxation of entry controls. This would allow bus companies to tailor their service offerings to meet new and changing demands, offer intermediate point service, and eliminate unnecessary route circuity.

Rail Competition

On January 21, the Council urged the ICC to disapprove two provisions of an agreement between the Chicago and North Western (CNW) and Burlington Northern (BN) railroads to own and operate a new rail line into the Powder River Basin coal region in Wyoming. Both provisions are contrary to the public interest because they materially interfere with effective competition in the transport of coal in this area.

The Powder River Basin is potentially one of the richest coal-producing areas in the world. At the present time, only one rail carrier, BN, serves the Basin. In addition, the nature of the market for coal and the long hauling distances involved

severely limit potential competition to BN from truck, water, or coal slurry transportation. Competition by a second rail carrier such as CNW provides a most practical and feasible short-run opportunity for increasing competition in western coal transportation. The Council believes that unless the territorial limitation and merger-buy-out provisions are rejected by the ICC, the public interest would not be served.

On February 8, the ICC disapproved both the territorial limitation and merger buy-out provisions of the proposed agreement.

Bumper Standard

On January 25, the Council sent a letter to the National Highway Traffic Safety Administration (NHTSA) recommending that as part of the rulemaking for a pedestrian safety standard, the Agency reopen the proceeding establishing a 5.0 mph bumper standard.

NHTSA is required by law to evaluate the costs and benefits of setting the bumper collision standard at either 2.5 mph or 5.0 mph. In its initial assessment, NHTSA concluded that a 2.5 mph steel bumper system would produce substantially greater savings to the public than a 5 mph steel system. On two later occasions, this assessment was revised and the agency concluded that the 5 mph standard had the largest net benefits.

The Council expressed concern that some of the assumptions used by NHTSA in its assessment of the two standards were unrealistic. For example, the analysis assumed that gasoline would average 73 cents per gallon in 1979 and increase 3 percent in real terms every year thereafter. In addition, design changes to offer more protection in the event of an accident may influence a person's driving habits. Such behavioral adjustments were not estimated.

Since the results of NHTSA's assessment were very sensitive to such assumptions, the Council recommended that the Agency reopen the bumper standard rulemaking for comments.

Gasoline Pricing Rules

On February 1, the Council sent a letter and staff memorandum to the Department of Energy's Economic Regulatory Administration (ERA) recommending that because of the short time allowed for public comment after publication of the regulatory analysis, the comment period on proposed amendments to the resellers' and reseller-retailers' price rules should be extended.

In addition, the Council criticized the draft regulatory analysis as an inadequate basis for the proposed rules. The document lacked reliable estimates of the proposal's likely

costs, it failed to analyze three of the five proposed amendments, and it offered insufficient support for the choice of 2.6¢ per gallon as the necessary increase in margins. Without a more adequate analysis along the lines suggested by the Council, the ERA cannot be certain that the proposed amendments will accomplish their goals in the most efficient manner.

After receipt of the Council's letter, ERA extended the public comment period to allow a full 60 days of comment on the proposed amendments and the draft regulatory analysis, and held public hearings to discuss the issues the Council had raised. It prepared a substantially revised regulatory analysis to justify a rule slightly changed from the original proposal.

Airport Security

On February 11, the Council submitted comments to the Federal Aviation Administration (FAA) on a proposal to extend FAA security regulations, already applicable to domestic air carriers, to air taxi operators and commuter airlines. The FAA believes that as the commuter airline industry grows, its aircraft will become targets for hijackers and saboteurs.

The Council expressed concern that the proposal would impose substantial costs on the commuter airline industry and its passengers, and that these costs would outweigh the associated benefits. If this is true, the effect not only would be inflationary but also could severely disrupt the process by which the air transportation sector adjusts to the Airline Deregulation Act of 1978.

The Council recommended that the FAA take several steps to ensure that the extension of the security requirements is necessary and that the benefits are achieved in the least costly manner. First, the FAA should show more clearly why these smaller aircraft are likely to become targets of hijacking attempts. Second, the measurement of benefits of any proposed regulations should include an estimate of the reduction in risk that an aircraft would be hijacked. Third, the FAA should prepare more accurate cost estimates of the proposed rules. The FAA should then identify the degree of safety it believes the proposed requirements would "buy", and present alternatives that would yield different amounts of safety at different costs.

The FAA has decided to delay its decision pending a more extensive analysis of the proposed regulations, as suggested by the Council.

IPD Charges

On February 11, the Council submitted comments to the ICC on the effectiveness of the incentive per diem (IPD) program. IPD is a daily rental charge (imposed in addition to the basic per diem (BPD) rental charge) levied on certain boxcars and gondolas

used by non-owning railroads. The ICC is concerned that the purpose of IPD's, to promote car acquisition and facilitate more efficient car utilization and distribution, has not been met.

In its comments, the Council stated that changes in the IPD program alone cannot provide a fundamental solution to seasonal or long-term car shortage problems. Such shortages can only be efficiently handled by building flexibility into freight rates, basic per diem charges, and other relevant fees, so that these fee schedules reflect existing market conditions, including car shortages. In the absence of such rate flexibility, it is impossible to be sure that the elimination of IPD's will improve efficiency.

The Council also stated that should the Commission decide to retain IPD charges, certain aspects of the current program should be modified to improve efficiency. In particular, the present earmarking rules for IPD fees should be eliminated, investment in uneconomically expensive car features discouraged, and a mechanism should be adopted for decreasing IPD charges as railcar shortages are reduced.

On March 10, the Council submitted reply comments to the ICC in response to comments from other parties urging the retention of IPD's for boxcars or for gondolas.

In its reply comments, the Council stated that boxcar and gondola shortages do not reflect fundamental long-term supply and demand disequilibrium. Existing evidence suggests that current shortages are seasonal and occur at peak demand periods. The Council repeated its belief that the IPD program is not an appropriate mechanism for alleviating seasonal shortages. Use of IPD's to eliminate seasonal shortages would produce excessive and costly car surpluses in all nonpeak periods. This excessive investment in certain types of rail cars would be at the expense of more productive expenditures such as improved maintenance.

Nondominant Common Carriers

On February 14, the Council submitted comments to the Federal Communications Commission (FCC) on a proposal to reduce tariff, entry, and exit regulations for nondominant communications common carriers. The proposal would remove unnecessary regulatory burdens on those carriers and permit the Commission to focus its attention on the dominant carriers with potential for abuse of market power.

The Council supported the Commission's proposals with respect to rate, entry, and exit regulation of nondominant common carriers. This is an area where economic regulation serves no purpose and inhibits price and service competition and innovation. With respect to the criteria for making dominance determinations, the Council suggested that the FCC not rely solely on a market share approach, but that it look directly at

the factors tending to discipline rates charged by common carriers -- actual competition, potential competition, and the existence of substitute service.

In regard to the proposed rate methodology changes for video relay carriers, the Council made no recommendation because of the ambiguity as to the efficiency consequences of the proposed rate methodology relative to alternative pricing schemes.

Revenue Need Standards

On February 19, 1980 the Council submitted reply comments to the ICC on the proposed standards to establish the revenue needs of regular route motor carriers of general freight. The Council's comments focused on several consulting studies that were prepared for this proceeding.

The Council reiterated its position that the Commission should determine the revenue needs of motor carriers of general freight by using a rate-base rate-of-return methodology and to seek market measures of the required rates of return to investors in the (general freight) motor carrier industry as a benchmark for determining the revenue needs of the industry. In the absence of a relaxing of regulatory restrictions on entry, exit, and pricing, a rate-base rate-of-return methodology is the best way to encourage carriers to minimize costs and make their operations as efficient as possible.

The Council recommended that the Commission use the cost of capital of publicly-held motor carriers as the benchmark for determining the revenue needs of the industry. The use of privately-held carriers was discouraged by the Council because of the difficulty in accurately assessing the relative efficiency and earnings of these carriers.

The Council also advised the Commission not to protect "weaker" carriers (those with low profitability) through general rate proceedings. Low profitability could be caused by restrictions imposed by the Commission on the carriers' operating authority. If the Commission wishes to protect these carriers, it should award the carriers improved operating rights as the Civil Aeronautics Board did with airlines in the early 1960's.

Flood Prevention

On February 20, the Council sent a letter and staff memorandum to the Department of Agriculture (USDA) on proposed flood prevention regulations for watershed projects. The memorandum outlined alternative procedures for evaluating the merits of flood prevention measures not discussed by USDA.

The Council staff was concerned that USDA was not adequately weighing the benefits of nonstructural measures for reducing

flood damage. The memorandum urged USDA to consider the option value of nonstructural measures.

While nonstructural flood damage reduction measures tend to be flexible and reversible, structural measures have technological aspects that are difficult to reverse or are irreversible. If this difference in the two measures is coupled with uncertainty about the demand for the resources that are displaced by flood plain management measures (such as farm land or recreational areas), option value is created. To ensure efficient allocation of resources, option value should be considered in deciding which flood prevention measure to use.

Airborne Carcinogens

On February 21, the Council, acting on behalf of the Regulatory Analysis Review Group (RARG) submitted a report to the Environmental Protection Agency (EPA) on its proposed policy and procedures for identifying, assessing, and regulating airborne carcinogens.

EPA's proposed policy can be viewed as a blueprint for a national insurance policy to decrease the risk of cancer from airborne substances. But like an individual purchasing private insurance, the government should try to obtain the maximum public health benefits from the expenditures it requires. RARG's review of EPA's proposed policy suggests that this insurance policy could be improved by several modifications.

The RARG recommended that EPA make some changes to its proposal for the listing of potential carcinogens. The RARG stated, that when listing a substance, EPA should consider estimating the overall risk to the public, take into account important interactive effects among carcinogens, and evaluate the use of a benchmark for overall risk to humans as a management tool to guide the Agency's decisions on which substances to regulate. RARG also questioned the wisdom of a policy that establishes a relatively low threshold for listing a substance. EPA should investigate the costs to manufacturers and users of listing a substance in order to evaluate the wisdom of this "low hurdle" approach.

With regard to the regulation of sources the RARG recommended several changes that should improve the cost-effectiveness of the proposed policy. Specifically, the RARG believes that EPA should evaluate and report the costs and risk reduction benefits from both its generic controls and any controls beyond Best Available Technology using a range of regulatory options. RARG also found that by permitting an option of "no further control" beyond generic standards and permitting the definition of source category to include the population at risk so that controls on a particular class of emitters can differ geographically, EPA would increase its regulatory

flexibility. EPA was also urged to establish some means of assuring rough consistency in the cost-effectiveness of control within the air cancer program.

Effluent Guidelines

On February 25, the Council, acting on behalf of the Regulatory Analysis Review Group (RARG), submitted a report on EPA's proposed effluent guidelines for water pollutants from the leather tanning industry. The proposed regulations were selected for review by the RARG because they were the first set of effluent standards issued in a new round of EPA rulemakings.

The RARG examined the general methodological issues raised by this latest round of industry specific, technology based guidelines. Although the statute probably does not require EPA to balance costs against effluent reduction benefits, the RARG stated that such comparisons are desirable and appear to be permitted by the statute. This balancing approach will enhance the worth and credibility of the effluent guidelines program.

The RARG found that EPA could improve this new program through several modifications in the methodology used to set standards. First, EPA should provide for a rough consistency in the cost-effectiveness of pollution control, within the confines of its statutory mandate. Second, to the extent possible, the Agency should establish priorities for controlling different toxics or classes of toxics to provide guidance for setting individual standards for toxic pollutants. Third, the indicator approach to regulating toxics should be modified to allow industries to demonstrate compliance with standards for specific toxics directly and by eliminating unnecessary indicators.

The RARG also asked EPA to develop new information on the marginal costs of pollution control for publically owned treatment works beyond that available when best conventional pollution control technology levels for secondary industries were established and use this information in setting best conventional pollution control levels for primary industries. In addition, RARG recommended that EPA take into account the environmental and economic costs associated with the additional solid wastes that will be generated when toxics are removed from effluent discharges.

The Council, on its own initiative, placed a letter and the RARG report into the public docket of the proposals to establish effluent guidelines for timber processing plants, textile mills, and the ink formulating industry. The issues raised in these rulemakings were similar to those addressed in the RARG report.

Pension Plan Investments

On February 27, the Council sent a letter and staff memorandum to the Department of Labor asking for additional

analysis on a proposed rule defining pension plan assets. The Council believes that the proposal may have unanticipated adverse effects on certain small businesses, especially venture capital companies.

The Council found that the benefits of the proposed regulations are unclear. If DOL intends to reduce the risk of pension fund portfolios, regulations should address this purpose more directly. Indirect regulation, focusing only on a particular class of assets, may fail to effectively reduce risk.

On the cost side, the Council stated that limiting pension fund investment in venture capital could reduce portfolio return on investment. In addition, venture capital companies are a source of financing for small higher risk, high-technology firms. Such firms are a source of innovation that may be curtailed if pension funds are not able to invest in venture capital companies.

On June 6, the DOL reproposed the rule defining plan assets. The newly proposed rules attempt to reduce the adverse impact of the regulations on venture capital companies.

Reconstituted Milk

On February 29, the Council submitted comments to the U.S. Department of Agriculture (USDA) supporting proposals to lift or modify current federal regulations that make selling reconstituted milk products uneconomical. The Council strongly urged the USDA to hold a public hearing on these proposals.

The Council found that current milk marketing order provisions artifically increase the prices of reconstituted milk products above the prices of fresh fluid milk, thus removing an economic incentive for milk processors to produce reconstituted milk. This deprives consumers in some areas of the country of a lower cost alternative to fresh fluid milk. The lifting of restrictions on the marketing of reconstituted milk has a significant anti-inflationary potential and would particularly benefit low-income consumers. These changes would also result in a more efficient use of consumer resources, without disrupting the orderly marketing of milk.

The Council stated that the proposals would further the goals of the Agricultural Marketing Agreement Act. In particular, the Council believes that the current treatment of reconstituted milk in milk marketing orders is inconsistent with Section 8c(5)G of the Act, which prohibits any marketing agreement or order from limiting or prohibiting the marketing of any milk or milk product.

Accessibility for the Handicapped

On March 4, the Council submitted comments to the Department of Labor (DOL) on a proposal prohibiting discrimination against handicapped individuals in programs receiving, or benefiting from, financial assistance from the DOL. These regulations are required by the Rehabilitation Act of 1973. The Council's comments focused on the regulations governing physical accessibility and associated operating practices.

The proposed regulations require all programs to make their facilities physically accessible to handicapped persons. Exemptions would be given to certain program sites when the cost of compliance is high and alternative accessible facilities are conveniently located. In addition, all new facilities must be constructed to provide accessibility to the handicapped. Capital costs of the proposal were estimated by the DOL to be $128 million.

The Council questioned the cost estimates used by the DOL. In addition, the DOL did not propose a less costly alternative that was mentioned in the Department's Regulatory Analysis. Since this "modification as needed" approach imposes costs only as benefits (in the form of program participation by handicapped individuals) emerge, its cost advantages are even greater than DOL's calculations indicate. The Council urged DOL to consider adopting this approach.

OCS Leasing

On March 7, the Council submitted comments to the Department of Energy (DOE) on a proposed rule to use a net profit share leasing system for the outer continental shelf (OCS). This leasing system was one of the systems specifically authorized by the Outer Continental Shelf Land Act amendments of 1978.

The proposed leasing system was designed to increase competition, provide a fair return to the government, and to encourage timely and efficient development of leases. The Council expressed concern that the benefits actually secured by this new bidding system may be small and possibly outweighed by the costs of the proposed procedure.

The Council found that the current bidding system employed for OCS lease sales achieves the goals of the Act. Evidence indicates that the market for OCS leases is highly competitive and the government has received more than a fair market value for its leases. In addition, current bidding systems do not have adverse effects on development of leases.

The Council stated that the net profit share leasing system might encourage firms to use creative accounting techniques to reduce their computed profits. This would not lead to a maximization of revenues to the government as intended by the

regulations. In addition, the regulations would require that substantial government and private resources be devoted to interpreting, policing, evaluating, and litigating administratively complex regulations. Compared to present leasing systems, the profit share system is a highly regulatory intensive method of resource management.

The Council recommended that the net profit share leasing system not be adopted. If however, it is adopted, the Council believes that its use should be severely restricted and that profit share leases should not be mixed with non-profit share leases in the same geological area.

On May 30, DOE established the net profit share leasing system as an approved system for the leasing of tracts on the Outer Continental Shelf. Although some changes were made to the final regulations, DOE did not make any of the changes recommended by the Council.

Natural Gas Pricing

On March 7, the Council sent a letter to the Federal Energy Regulatory Commission (FERC) stating that the Commission's proposal for implementing Phase II of incremental pricing for natural gas, as required under Title II of the Natural Gas Policy Act, is unlikely to increase inflation significantly. The Council did not reach a firm conclusion about the proposal's overall merits or its efficiency benefits.

The Council strongly supported FERC's movement toward replacement-cost pricing for natural gas. The Council expressed its belief that below-cost pricing is ultimately inflationary because it induces market distortions and does not promote efficient energy use. By contrast, replacement-cost pricing ensures that opportunities to conserve energy or improve its productivity are utilized.

On May 9, FERC submitted its final rule for Congressional review. The rule expanded the scope of incremental pricing under Phase I to all industrial users of natural gas above a 300 mcf/day threshold. The House of Representatives, however, disapproved of the rule. FERC may submit a new rule not earlier than 6 months and not later than two years after the rejection of its initial proposal.

Radio Deregulation

On March 25, the Council submitted comments to the FCC on a proposed rule that would eliminate programming, commercialization and ascertainment requirements now imposed on commercial radio stations.

The Council supported the Commission's proposal to eliminate the formal procedures for determining community needs and

interests and the general ascertainment obligation, the quantitative guidelines for commercials, and the program log requirements. As the radio industry has developed, the need for ascertainment requirements and limits on commercial time have decreased. Though market entry is restricted, competition among stations will probably force programming and advertising practices that are in the public's interest. The Council also supported the proposal to eliminate program log requirements. These regulations appear to impose substantial and unnecessary costs on stations. If the Commission determined that it cannot monitor stations without some reporting requirements, it should initiate a proceeding to determine the least costly way to meet that need.

The Council reached no conclusion on the proposal to eliminate quantitative guidelines on nonentertainment programming. The Council stated that it does not have an adequate basis for judging whether the social benefits of having news available on all stations exceed the compliance costs experienced by radio stations and the costs imposed on listeners of being deprived of programming which would otherwise be available. Further, it is not clear what impact eliminating the nonentertainment programming would have on the comparative hearing process.

Fuel Economy Standards

On March 31, the Council, acting on behalf of the Regulatory Analysis Review Group (RARG), submitted a report to the National Highway Traffic Safety Administration (NHTSA) on its proposed fuel economy standards for model year 1983-85 light duty trucks.

The RARG report did not reach specific conclusions on the cost and efficacy of various technologies, or the specific standards that should be chosen. Instead, the report focused on the methodology NHTSA will use to set standards. The RARG believes that the methodology used by NHTSA will not only be important for establishing fuel economy standards for 1983-85 model year light duty trucks, but will set important precedents for future controls on post-1985 vehicles, including passenger cars.

The RARG recommended that NHTSA should use a two step procedure for determining the final standards. First, NHTSA should determined which fuel economy modifications will generate fuel savings greater than their resource costs. Second, the agency should determine which modifications appear desirable taking into account two additional factors -- the benefits of oil import reductions not reflected in gasoline prices, and consumer costs associated with sacrifices in truck performance. The RARG also recommended that NHTSA take into account the effect of truck fuel economy standards on the manufacturers' ability to improve automobile fuel economy, consider setting a composite standard based on fleet mix for each manufacturer, increase the advantages

of a non-compliance penalty by eliminating the stigma of manufacturer illegality, and expanding the carry forward and carry back credit provisions to more than one year.

On May 27, NHTSA published a notice in the Federal Register asking for public comment on the recommendations made by the RARG.

The Quarter at a Glance

January 7: The Council filed comments before the Interstate Commerce Commission on a petition to ease entry into the intercity bus industry. The Council supported the petition as a means of increasing competition and benefiting consumers. (CWPS-354)

January 11: The Council released a series of questions and answers pertaining to procedural rules and the pay standard. (AIP-136)

January 14: The Council announced major changes in the gross-margin standard for petroleum refiners. (AIP-134)

January 17: The Council published changes in the pay standard pertaining to tandem pay-rate changes. (AIP-140)

January 21: The Council filed comments before the Interstate Commerce Commission on the entry of a second rail carrier into the Powder River Area of Wyoming. The Council recommended that the ICC disapprove two provisions of the entry agreement because they had anti-competitive implications. (CWPS-355)

January 25: The Council sent a letter to the National Highway Traffic Safety Administration recommending that it reopen the proceeding establishing a 5.0 mph bumper standard. The Council expressed concern that some of the assumptions used to establish the standard were unrealistic and should be reevaluated before a final standard is establishd. (CWPS-356)

February 1: The Council sent a letter to the Department of Energy requesting that the comment period on the proposed gasoline pricing rules for resellers and reseller-retailers be extended. The Council requested the extension because DOE did not make an analysis of the proposal rule available to the public until the comment period was almost over. (CWPS-357)

February 1: Chairman Alfred E. Kahn announced that the President reduced the duty on imported raw sugar. (AIP-144)

February 11: The Council filed comments before the Interstate Commerce Commission on its incentive per diem program for boxcars and gondolas. The Council stated that unless the ICC allows greater flexibility in freight rates, it is impossible to evaluate if the elimination of this program will improve boxcar and gondola utilization. (CWPS-358)

February 11: The Council filed comments before the Federal Aviation Administration on a proposal to extend security regulations to small airlines and airports. The Council believes that the proposal needs more extensive analysis by the FAA before regulations are promulgated. (CWPS-359)

February 11: The Council announced it was waiving the first-quarter reporting requirements (PM-1) for the second-program year. The delay was due to preparation and approval time for the reporting form. (AIP-146)

February 14: The Council filed comments before the Federal Communications Commission on a proposal to reduce regulatory requirements for nondominant communications common carriers. (CWPS-360)

February 15: The Council published in conjunction with the Department of Agriculture its monthly food price report. (AIP-147)

February 15: The Council sent a letter to the Environmental Protection Agency on the proposed effluent standards for timber processing plants. (unnumbered)

February 15: The Council sent a letter to the Environmental Protection Agency on the proposed effluent standards for textile mills. (unnumbered)

February 19: The Council submitted reply comments before the Interstate Commerce Commission on proposed standards to establish the revenue needs of regular route motor carriers of general freight. The Council reiterated its support of a rate-base rate-of-return methodology to establish revenue needs. (CWPS-361)

February 19: The Council sent a letter and staff memorandum to the Department of Agriculture commenting on the proposed watershed protection program. The Council urged the USDA to use option value when choosing between different protection measures. (CWPS-362)

February 21: The Council, acting on behalf of the Regulatory Analysis Review Group, submitted a report to the Environmental Protection Agency on its proposed policy for identifying, assessing, and regulating airborne substances posing a cancer risk. The RARG recommended some changes in the proposed policy to increase its effectiveness in achieving its goals in the least costly manner. (CWPS-363)

February 25: The Council, acting on behalf of the Regulatory Analysis Review Group, submitted a report to the Environmental Protection Agency on its proposed effluent standards for the leather tanning industry. The RARG recommended that EPA should, within the confines of its statute, provide for a rough consistency in the cost-effectiveness of pollution control and allow industries the flexibility of reducing toxics either through direct controls or by using EPA's proposed indicator approach. (CWPS-364)

February 25: The Council announced that Notices of Probable Noncompliance were sent to several oil refiners as a result of a report on crude oil prices and the standards. (AIP-148)

February 27: The Council submitted comments before the Department of Labor recommending additional analysis of proposed regulations defining pension plan assets. The Council believes that the proposal may adversely effect small businesses, especially venture capital companies. (CWPS-365)

February 29: The Council announced the appointment of Roger Alcaly as Assisstant Director for Policy, Planning and Evaluation. (AIP-150)

February 29: The Council filed comments before the Department of Agriculture supporting a proposal to lift or modify the current treatment of reconstituted milk products in milk marketing orders. These changes would result in a more efficient use of consumer resources without disrupting the orderly marketing of milk. (CWPS-366)

March 2: Council Chairman Alfred E. Kahn and Treasury Secretary, G. William Miller, sent telegrams to CEO's of Fortune 500 companies concerning sharp price increases in anticipation of wage/price controls. (unnumbered)

March 4: The Council filed comments before the Department of Labor on proposed regulations ensuring nondiscrimination on the basis of handicap in programs receiving, or benefiting from DOL financial assistance. The Council recommended that DOL adopt a less costly approach to achieving the objectives of the regulations. (CWPS-367)

March 6: The Council published in conjunction with the Department of Agriculture its monthly food price report. (AIP-152)

March 7: The Council sent a letter to the Federal Energy Regulatory Commission stating that its proposal for implementing Phase II of incremental pricing for natural gas, is unlikely to increase inflation significantly. (CWPS-368)

March 7: The Council filed comments before the Department of Energy on a proposed net profit share leasing system for outer continental shelf oil and gas tracts. The Council recommended that DOE not adopt the proposed system. (CWPS-369)

March 10: The Council filed reply comments before the Interstate Commerce Commission on its incentive per diem program for railroad boxcars and gondolas. (CWPS-370)

March 11: Council Director R. Robert Russell testified before the Subcommittee on Commerce, Consumer, and Monetary Affairs of the House Committee on Government Operations on petroleum-product prices and the Council's price standards.

March 13: The Council published the revised pay standard in interim final form. (AIP-156)

March 13: The Council published on behalf of the Price Advisory Committee its interim report. (AIP-157)

March 14: The President announced plans for increased Council monitoring and selected prenotification for price increases as part of a new anti-inflation effort.

March 17: Council Chairman Alfred E. Kahn testified before the Senate Committee on Banking, Housing, and Urban Affairs concerning Council reauthorization.

March 18: The Council announced a lowering of its reporting threshold from $250 millin in revenues to $100 million. (AIP-158)

March 19: Council Director R. Robert Russell testified before the House Banking Committee concerning the Council's reauthorization.

March 25: The Council filed comments before the Federal Communications Commission on a proposed rule to eliminate programming, commercialization, and ascertainment requirements now imposed on commercial radio stations. The Council generally supported the proposals. (CWPS-372)

March 26: The Council published interpretive questions and answers concerning the new pay standard. (AIP-161)

March 27: The Council announced the tightening of the price standards to limit the size of price increases for the three-month period of April, May, and June. (AIP-164)

March 31: The Council, acting on behalf of the Regulatory Analysis Review Group, submitted a report to the National Highway Traffic Safety Administration on proposed 1983-85 fuel economy standards for light trucks. The RARG recommended a new methodology for determining the standards. (CWPS-373)

March 31: The Council sent a letter to the Environmental Protection Agency on proposed effluent standards for the ink formulating industry. (unnumbered)

March 31: The Council announced plans to substantially increase its monitoring activities requiring a staff expansion. (AIP-167)

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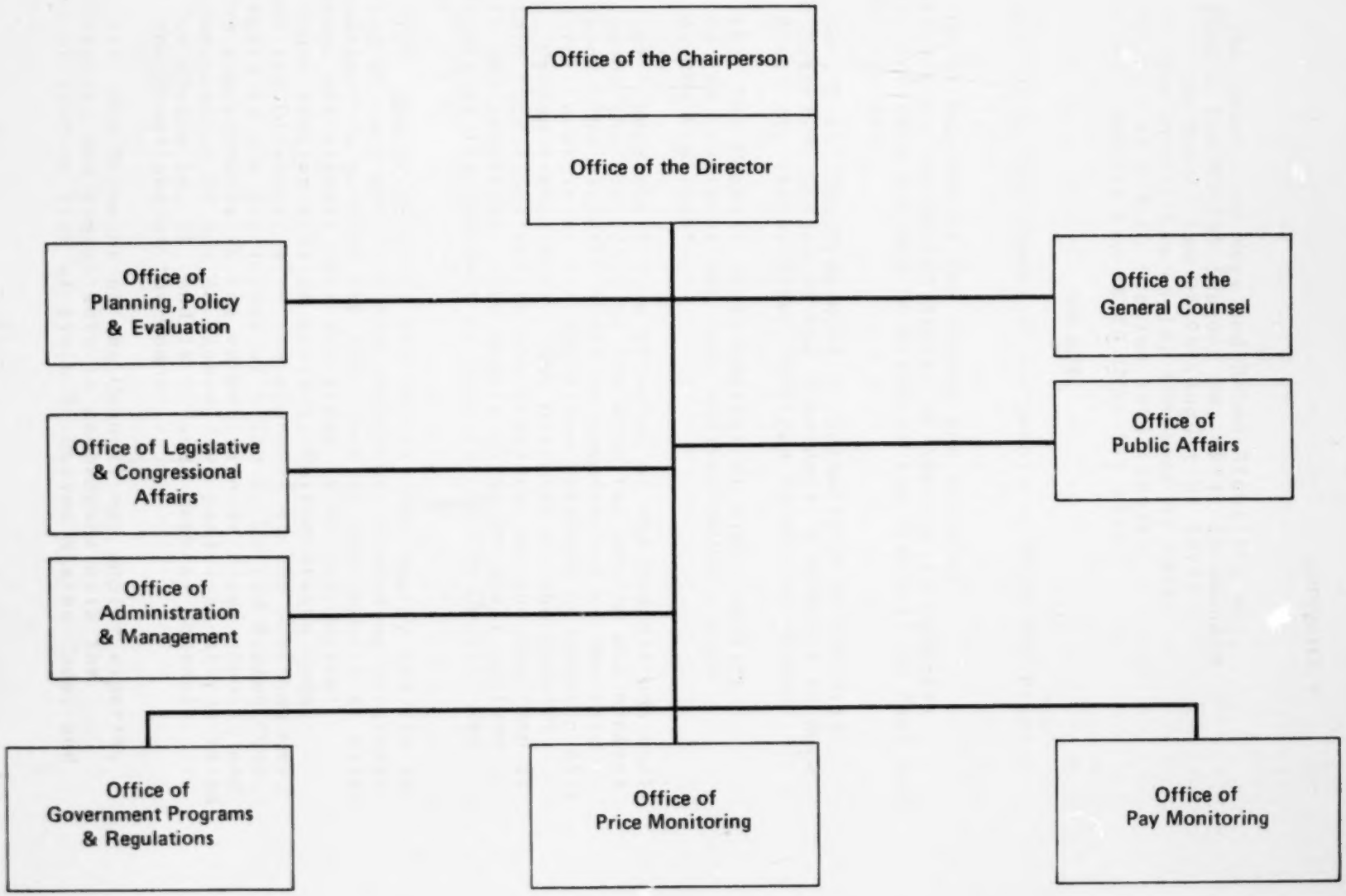
COUNCIL ON WAGE AND PRICE STABILITY ORGANIZATION CHART


Office of the Chairperson
Office of the Director
Office of Planning, Policy & Evaluation
Office of the General Counsel
Office of Legislative & Congressional Affairs
Office of Public Affairs
Office of Administration & Management
Office of Government Programs & Regulations
Office of Price Monitoring
Office of Pay Monitoring

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The Council on Wage and Price Stability Act,
Public Law 93-387 (August 24, 1974) as amended
by Public Law 94-78 (August 9, 1975)
and Public Law 95-121 (October 5, 1977)
12 U.S.C. Section 1904, (note)
Public Law 96-10 (May 10, 1979)

AN ACT

To authorize the establishment of a Council on Wage and Price Stability

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Council on Wage and Price Stability Act".

Sec. 2(a) The President is authorized to establish, within the Executive Office of the President, a Council on Wage and Price Stability (hereinafter referred to as the "Council").

(b) The Council shall consist of eight members appointed by the President and four adviser-members also appointed by the President.

(c) There shall be a Director of the Council who shall be appointed by the President by and with the advice and consent of the Senate. The Director shall be compensated at the rate prescribed for level IV of the Executive Schedule by section 5315 of title 5, United States Code. The Director of the Council shall perform such functions as the President or the Chairman of the Council may prescribe. The Deputy Director shall perform such functions as the Chairman or Director of the Council may prescribe.

(d) The Director of the Council may employ and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions of the Council at rates not to exceed the highest rate for grade 15 of the General Schedule under section 5332 of title 5, United States Code. Except that the Director, with the approval of the Chairman may, without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service, appoint and fix the compensation of not to exceed five positions at the rates provided for grades 16, 17, and 18 of such General Schedule, to carry out the functions of the Council.

(e) The Director of the Council may employ experts, expert witnesses, and consultants in accordance with the provisions of section 3109 of title 5, United States Code, and

compensate them at rates not in excess of the maximum daily rate prescribed for grade 18 of the General Schedule under section 5332 of title 5, United States Code.

(f) The Director of the Council may, with their consent, utilize the services, personnel, equipment and facilities of Federal, State, regional, and local public agencies and instrumentalities, with or without reimbursement therefor, and may transfer funds made available pursuant to this Act to Federal, State, regional, and local public agencies and instrumentalities as reimbursement for utilization of such services, personnel, equipment, and facilities.

(g) The Council shall have the authority, for any purpose related to this Act, to --

(1) require periodic reports for the submission of information maintained in the ordinary course of business; and

(2) issue subpoenas signed by the Chairman or the Director for the attendance and testimony of witnesses and the production of relevant books, papers, and other documents, only to entities whose annual gross revenues are in excess of $5,000,000;

relating to wages, costs, productivity, prices, sales, profits, imports, and exports by product line or by such other categories as the Council may prescribe. The Council shall have the authority to administer oaths to witnesses. Witnesses summoned under the provisions of this section shall be paid the same fees and mileage as are paid to witnesses in the courts of the United States. In case of refusal to obey a subpoena served upon any person under the provisions of this section, the Council may request the Attorney General to seek the aid of the United States district court of any district in which such person is found, to compel that person, after notice, to appear and give testimony, or to appear and produce documents before the Council.

Section 3 (a) The Council shall --

(1) review and analyze industrial capacity, demand, supply, and the effect of economic concentration and anticompetitive practices, and supply in various sectors of the economy, working with the industrial groups concerned and appropriate governmental agencies to encourage price restraint;

(2) work with labor and management in the various sectors of the economy having special economic problems, as well as with appropriate government agencies, to improve the structure of collective bargaining and the performance of those sectors in restraining prices;

(3) improve wage and price data bases for the various sectors of the economy to improve collective bargaining and encourage price restraint;

(4) conduct public hearings necessary to provide for public scrutiny of inflationary problems in various sectors of the economy for the purpose of controlling inflation;

(5) focus attention on the need to increase productivity in both the public and private sectors of the economy, focus attention on the need to move toward full employment and take into consideration the need to stimulate productivity in monitoring wages and prices to determine compliance with promulgated standards;

(6) monitor the economy as a whole by acquiring as appropriate, reports on wages, costs, productivity, prices, sales, profits, imports, and exports;

(7) review and appraise the various programs, policies, and activities of the departments and agencies of the United States for the purpose of determining the extent to which those programs and activities are contributing to inflation;

(8) intervene and otherwise participate on its own behalf in rulemaking, ratemaking, licensing and other proceedings before any of the departments and agencies of the United States, in order to present its views as to the inflationary impact that might result from the possible outcomes of such proceedings; and

(9) review information about and analyze the effects on the United States economy of --

(A) the participation of the United States in international trade and commerce;

(B) the changing patterns of supplies and prices of commodities in the world market;

(C) the investment of United States capital in foreign countries;

(D) short-and long-term weather changes in the world;

(E) interest rates;

(F) capital formation; and

(G) the changing patterns of world energy supplies and prices.

(b) Nothing in this Act, (1) authorizes the continuation, imposition, or reimposition of any mandatory economic controls with respect to prices, rents, wages, salaries, corporate dividends, or any similar transfers, or (2) affects the authority conferred by the Emergency Petroleum Allocation Act of 1973.

(c) The Council is directed to review its policies with respect to the national interest in promoting greater productivity growth and shall submit a report of its findings and recommendations to the Congress by July 1, 1979. Such review shall include, but not be limited to, the need for flexibility in determining compliance with pay and price standards based upon documentable productivity gains resulting from improved efficiency of the workforce.

Section 4 (a) Any department or agency of the United States which collects, generates, or otherwise prepares or maintains data or information pertaining to the economy or any sector of the economy shall, upon the request of the Chairman of the Council, make that data or information available to the Council.

(b) Disclosure of information obtained by the Council from sources other than Federal, State, or local government agenices and departments shall be in accordance with the provisions of section 552 of title 5, United States Code.

(c) Disclosure by the Council of information obtained from a Federal, State, or local agency or department must be in accord with section 552 of title 5, United States Code, and all the applicable rules of practice and procedure of the agency or department from which the information was obtained.

(d) Disclosure by a member or any employee of the Council of the confidential information as defined in section 1905 of title 18, United States Code, shall be a violation of the criminal code as stated therein.

(e) Consistent with the provisions of section 7213 of the Internal Revenue Code of 1954, nothing in this Act shall be construed as providing for or authorizing any Federal agency to divulge or to make known to the Council the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed solely to the provisions of the Internal Revenue Code of 1954, thereof, to be seen or examined by the Council.

(f)(1) Product line or other category information relating to an individual firm or person and otained under section 2(g) or submitted voluntarily pursuant to a Council request and judged by the Council to be confidential information shall be considered as confidential financial information under section 552(b)(4) of title 5 of the United

States Code. Neither the Director nor any member of the Council may permit anyone other than sworn officers, members, and employees of the Council to examine such data.

(2) Periodic reports obtained by the Council under section 2(g) or submitted voluntarily pursuant to a Council request and copies thereof which are retained by the reporting firm or person shall be immune from legal process.

Section 5. The Council shall report to the President and through him to the Congress, on a quarterly basis and not later than thirty days after the close of each calendar quarter, concerning its activities, findings and recommendations with respect to the containment of inflation and the maintenance of a vigorous and prosperous peacetime economy.

Section 6 There is authorized to be appropriated to cary out the provisions of this Act not to exceed --

(1) $6,952,000 for the fiscal year ending September 30, 1979; and

(2) $8,483,000 for the fiscal year ending September 30, 1980.

Section 7. The authority granted by this Act terminates on September 30, 1980.

Section 8. Notwithstanding any other provision of this Act, no payment under this Act may be made except to such extent, or in such amounts, as are provided in advance in appropriation Acts.

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GENERAL STUDIES

Concentrated Industries, Administered Prices, and Inflation: A Survey of Recent Empirical Research. (Ralph E.Beals Report) June 17, 1975. (CWPS-52).

*A Study of Coal Prices. March 17, 1976. Stock No. 041-014-00039-3, $2.20

Price Behavior During the 1973-75 Recession. May 11, 1976. (CWPS-148).

*A Study of Chlorine, Caustic Soda Prices. August 23, 1976. Stock No. 048-000-00289-7. $1.25.

*Price Increases and Capacity Expansion in the Paper Industry. December 1976. Stock No. 041-001-00269-8, $1.80.

The Interstate Commerce Commission's Staff Analysis of the Cost and Benefits of Surface Transport Regulation. January 19, 1977, (CWPS-229).

*Trends in Industrial Plant Construction. March 18, 1977. Stock No. 041-001-00146-8, $1.60.

*Prices and Capacity Expansion in the Cement Industry. March 29, 1977. Stock No. 041-001-00149-2, $2.40.

Unnumbered Memo Concerning a Possible Shortage of Fertilizer, May 16, 1977.

Analysis of Possible Price Increases in Fiberglass Insulation, June 14, 1977. (CWPS-248).

*The Wholesale Price Index: Evaluation and Review. June 27, 1977. Stock No. 052-003-00440-2, $3.00.

*Lumber Prices and the Lumber Products Industry. October, 1977. Stock No. 052-003-00440-2, $3.00.

*A Quarterly Report with a Special Report on Inflation. April 6, 1978. Stock No. 041-001-00165-4, $3.25.

*Textiles and Apparel: A Study of the Textile and Apparel Industries. July 1978. Stock No. 041-001-00169-7.

Council Report on Inflationary Developments During the First Quarter of 1978. May 22, 1978, (CWPS-273).

*Those reports marked with an asterisk can only be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The stock number and price follow the title and must be used to order.

GENERAL STUDIES (cont.)

Council released its Inflation Update detailing wage and price trends during the first year of the anti-inflation program. (CWPS-353).

AGRICULTURE FOOD PRODUCTS

Staff Report on Shelf Inventory Repricing, December 6, 1974, (CWPS-14).

*Staff Report on Sugar Prices. May 1975. Stock No. 048-000-00277-3, $1.40.

Report on Family Flour Prices, October 29, 1975, (CWPS-75).

Government Regulation of Milk Markets: A Discussion Paper, December 3, 1975.

Review of Economic Literature on Milk Regulation. (Public Interest Economics Center), December 1975.

Interim Report on Breakfast Cereals and Bakery Products, January 14, 1976, (CWPS-124).

*Report on Prices for Agricultural Machinery and Equipment. May 1976. Stock No. 041-006-00040-4, $1.00.

*Marketing Spreads for Food Products. May 1976 (No stock number).

*The Responsiveness of Wholesale and Retail Food Prices to Changes in the Costs of Food Production and Distribution. November 1976 Stock No. 041-01-00135-2, $1.35.

Staff Report on Bread Prices. May 17, 1977. Stock No. 041-001-00149-2, $2.40.

AUTOMOBILES

1976 Automobile Prices, November 11, 1975, (CWPS-103).

Automobile Prices: January 1976, January 12, 1976, (CWPS-122).

Auto Parts Price Behavior: 1971-1976. May 27, 1977. Stock No. 041-001-00150-6, $2.00.

Council Analyzes New Automobile Prices (1978), November 14, 1977.

METALS

*Metal Can Prices. June 1975. (No stock number).

*A Study of Steel Prices. July 1975. Stock No. 041-001-00103-4, $1.50.

Untitled paper synthesizing the discussion at the CWPS' December 16, steel symposium. (Marshall, Paul), April 27, 1976.

*Aluminum Prices 1974-1975. September 27, 1976. Stock No. 041-010-0030-4, $3.20.

*Catalog of Federal Regulations Affecting the Iron and Steel Industry. December 1976. Stock No. 041-001-0139-5, $4.70.

Report to the President on Prices and Costs in the U.S. Steel Industry. October 1977. Stock No. 052-003-00440-2, $3.00. (Note: This publication is Out Of Print).

PUBLIC SECTOR FILINGS OF THE COUNCIL ON WAGE AND PRICE STABILITY

TRANSPORTATION

CIVIL AERONAUTICS BOARD (CAB)

National Airlines Proposed "No Frills" Promotional Fares. Dockets 27607 and 27610. March 19, 1975 (CWPS-31).

Trans World Airlines Proposed 1975 Youth, Senior Citizens, and Family Fares. Dockets 27657, 27658, 27661, and 27685. April 1, 1975. (CWPS-35).

World Airways, Inc., Application for a Certificate of Public Convenience and Necessity, Transcontinental Scheduled Source. Docket 27593. April 10, 1975. (CWPS-40).

Supplemental Notice of Proposed Rulemaking, One Stop Inclusive Tour Charters. Docket 27135. May 16, 1975. (CWPS-45).

Supplemental Notice of Proposed Rulemaking, Special Event Charters. Docket 26810. May 16, 1975.

American Airlines, Inc., 6 Percent Domestic Passenger Fare Increase. Docket 27947. May 16, 1975.

Trans World Airlines 5 percent Domestic Passenger Fare Increase. May 16, 1975.

Joint Petition for Emergency Procedures, Council on Wage and Price Stability, Department of Transportation, and Federal Energy Administration. Docket 28191. August 19, 1975.

CIVIL AERONAUTICS ADMINISTRATION (CAB) (cont.)

Braniff Airways, Inc., Continental Airways, Inc., Frontier Airlines Inc., and Trans World Airlines Inc., Domestic Passenger Fare Increases. Docket 28235. August 27, 1975.

United Air Lines, Inc., Passenger Fare Fuel Surcharge. Docket 28235. August 27, 1975. (CWPS-76).

Civil Aeronautics Board Proposed Experimental Program to Test Consequences of Deregulation. Docket 28048. September 15, 1975. (CWPS-80).

National Airlines Proposed "No Frills" Promotional Fare, Supplemental Comments. Dockets 27607 and 27610. September 22, 1975. (CWPS-82).

Domestic Load Factor Standards. Docket 27417. December 15, 1975. (CWPS-116).

Notice of Proposed Rulemaking, Advance Booking Charters. Docket 28852. March 19, 1976.

Notice of Proposed Rulemaking, Advance Booking Charters, Supplemental Comments. Docket 28852

Application of Eastern Air Lines, Inc., for Discussion Authority. Docket 28439. October 7, 1976. (CWPS-196).

Application of Midway Airlines, Inc., for a Certificate of Public Convenience and Necessity. Docket 29914. October 22, 1976. (CWPS-202).

Application of Pan American World Airways, Inc., for a Certificate of Public Convenience and Necessity. Docket 29952. November 15, 1976., (CWPS-209).

Application of Rocky Mountain Airways, Inc., for an Exemption. Docket 30058. December 13, 1976. (CWPS-218).

Aviation Subcommittee of the Senate Commerce Committee. Council Testimony on Airline Regulatory Reform. March 22, 1977. (CWPS-236).

Extending CAB Certification to Commuter Air Carriers is Opposed by Council. Docket 30310. June 30, 1977. (CWPS-251).

U.S. COAST GUARD (USCG)

Tank Vessels Carrying Oil in Domestic Trade. Docket CGD-201. December 4, 1975. (CWPS-111).

U.S. COAST GUARD (USCG) (cont.)

Tank Vessels Segregated Ballast Retrofit; Foreign and Domestic. Docket CGD-76-075. June 30, 1976. (CWPS-169).

Council Filing to Reduce Marine Pollution before the U.S. Coast Guard. November 15, 1977. (CWPS-258).

FEDERAL AVIATION ADMINISTRATION (FAA)

Aircraft Noise Retrofit Requirements. Docket AGC-24. April 7, 1975. (CWPS-38).

Aircraft Noise Retrofit Requirements. Docket AGC-24. Further Comments to EPA on April 7th Filing. May 9, 1975. (CWPS-43).

Noise Requirements Submitted to FAA by EPA on Civil Supersonic Airlines. Docket 10494. August 14, 1975. (CWPS-74).

Use of Access Road to Dulles International Airport. 14 CFR Section 159.35. November 4, 1976. (CWPS-207).

Proposed Regulations on Airport Noise Regulatory Process. Docket 16279. April 15, 1977.

Proposed Regulations to extend security regulations to small airlines and airports. February 11, 1980. (CWPS-359).

INTERSTATE COMMERCE COMMISSION (ICC)

In the Matter of Commission Policy Regarding Corporate Parent-Subsidiary Transportation. Docket No. MC-C-8506. January 13, 1975. (CWPS-20).

Findings of Market Dominance. Ex Parte No. 320. April 15, 1976. (CWPS-141).

Interstate Transportation of Passengers by Motor Common Carriers. Ex Parte No. MC-95. June 4, 1976.

Findings of Market Dominance. Ex Parte No. 320. September 13, 1975. (CWPS-182).

Petition of Herman Brothers, Inc. Ex Parte No. MC-103. September 29, 1976.

Special Procedures for Making Findings of Market Dominance. Ex Parte No. 320. October 29, 1976. (CWPS-205).

Separate Rates for Distinct Rail Services. Ex Parte No. 331. November 24, 1976.

INTERSTATE COMMERCE COMMISSION (ICC) (cont.)

Practices of Motor Common Carriers of Household Goods. 49 CFR Part 1056. December 1, 1976.

Piggyback Service Regulations. Ex Parte No. 230 (Sub.No. 4). January 6, 1977. (CWPS-221).

The Interstate Commerce Commission's Staff Analysis of the Costs and Benefits of Surface Transportation Regulation. January 19, 1977. (CWPS-229).

Agricultural Cooperative Transportation Exemption (Modification of Regulations). Ex Parte No. MC-75 (Sub.-No.1). February 15, 1977. (CWPS-231).

Increased Bus Passenger Fares and Express Rates Nationwide. I&S Docet No. M-29412. May 3, 1977. (CWPS-241).

Terminal Areas for Express Shipments by Bus. Ex Parte No. MC-37 (Sub.-No. 29). May 24, 1977. (CWPS-243).

The Value of Motor Carrier Operating Authorities. June 9, 1977. (CWPS-247).

Procedures in Moter Carrier Application Proceedings Where For-Hire Carriage is Substituted for Proprietary Operating. Ex Part No. MC-103. August 3, 1977. (CWPS-254).

Council Comments on General Freight Rate Increase. October 31, 1977. (CWPS-257).

Council Comments to ICC on Rail Rate Increase. December 20, 1977. Unnumbered.

Council Opposes Higher Bus Rates. December 28, 1977. (CWPS-261).

Council Give Views on ICC Trucking Entry Proceedings. January 23,1978. (CWPS-263).

Council Comments to ICC on Coal Rail Rates. March 6, 1978. Unnumbered.

Council Urges End to Inflationary Anti-trust Exemption in Transportation Industry. April 6, 1978. (CWPS-267).

Council Opposes Higher Bus Rates. April 11, 1978. (CWPS-269).

Council Comments to ICC Concerning Criteria for Evaluating Freight Increases of Motor Carriers Rate Conference, Inc. Docket No. M-29772. July 5, 1978. (CWPS-280).

INTERSTATE COMMERCE COMMISSON (ICC) (cont.)

Council Urges ICC to Disapprove Collective Ratemaking Agreements. Ex Parte No. 297 (Sub.-No. 4). Agreemtn Nos. 46, 48, and 49. September 11, 1978. (CWPS-286).

Southern Motor Carriers Rate Conference, Inc. Brief of the Council on Wage and Price Stability before the ICC. Docket No. M-29772. September 15, 1978. (CWPS-287).

Council Filing Support to the ICC on Entry of Private Truck Carriers into the For-Hire Trucking Market. Ex Parte No. MC-118. September 19, 1978. (CWPS-288).

Downward Fare Flexibility in the Intercity Passenger Market and Flexibility in Charter Prices. October 16, 1978. (CWPS-290).

"Rule of Eight" in Contract Carrier Application. Ex Parte No. MC-119. October 18, 1978. (CWPS-292).

Petition to Relax Entry of Transportation of Small Shipments Eighing 500 Pounds or Less. Ex Parte No. Mc-120. November 6, 1978. (CWPS-297).

Increased Freight Rates and Changes, Nationwide -8 Percent. Ex Parte No. 357. December 2, 1978. (CWPS-300).

Petition for Modification of Rules in Motor Carrier Revenue Proceedings before the ICC. January 26, 1979. (CWPS-303).

Council filed comments before the ICC supporting their proposal to relax its standards for entry into the trucking and intercity bus industries. Ex Parte No. 121. February 5, 1979. (CWPS-306).

Council filed comments on a Trailwys petition on upward flexibility in the intercity bus passenger market. February 19, 1979. (CWPS-308).

Council filed comments before the ICC urging it to reject rate increases exceeding the anti-inflation standards. March 21, 1979. CWPS-314).

Council filed comments before the ICC discouraging their rate increase proposals based on increases in individual cost components. Ex Parte No. 311. May 21, 1979. (CWPS-318).

Council sent letter to ICC opposing a rate increase sought by the Steel Carriers Tariff Association. May 22, 1979. (CWPS-319).

Council filed comments before the ICC supporting proposal of Trailways, Inc. granting them temporary authority for regulation-route passenger operation. Ex Parte No. MC-126. June 23, 1979. (CWPS-323).

INTERSTATE COMMERCE COMMISSION (ICC) (cont.)

Council comments to ICC on its proposed rulemaking on fare flexibility in the bus industry. October 22, 1979. (CWPS-345).

Council comments to ICC on propsed revenue need standards in the trucking industry. November 20, 1979. (CWPS-351).

Council comments to ICC on a petition to ease entry into the intercity bus industry. January 7, 1980. (CWPS-354).

Council comments to ICC on entry of a second rail carrier into the Powder River Area of Wyoming. January 21, 1980. (CWPS-355).

Council comments to ICC on incentive per diem program for boxcars and gondolas. February 11, 1980. (CWPS-358).

Council comments to ICC on proposed standards to establish the revenue needs of regular route motor carriers of general freight. February 19, 1980. (CWPS-361).

Council comments to ICC on incentive per diem program for railroad boxcars and gondolas. March 10, 1980. (CWPS-370).

NATIONAL RAILROAD PASSENGER CORPORATION (Amtrak)

Proposed Criteria and Procedures for Making Route and Service Decisions. November 21, 1975. (CWPS-106).

DEPARTMENT OF TRANSPORTATION (DOT)

Highway Safety Programs Standards, Occupant Crash Protection. 49 CFR, Part 571 and 23 CFR Part 1204. August 3, 1976. (CWPS-174).

Financing of Aircraft Noise Reduction Requirements. December 1, 1976. (CWQPS-214).

Regulatory Analysis Review Group (RARG hereafter) letter on review of DOT proposed "nondiscrimination on the basis of handicap" regulation. July 19, 1978. (CWPS-282).

RARG Report to DOT on Proposed Regulations on Nondiscrimination on the Basis of Handicap. October 23, 1978. (CWPS-293).

Advance Notice of Proposed DOT Rulemaking, Federal Highway Administration, Federal Motor Carrier Safety Regulations, Hours of Service. BMCS Docket MC-70-1; Notice Number 78-11. November 22, 1978. (CWPS-298).

HEALTH, SAFETY, AND THE ENVIRONMENT

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Transportation Equipment Noise Emission for Medium and Heavy Duty Trucks. Docket PNAC 74-1. May 9, 1975. CWPS-42).

Transportation Equipment Noise Emission for Medium and Heavy Duty Trucks, Additional Comments. Docket No. PNAC 74-1. June 8, 1975. (CWPS-64).

Noise Abatement Regulation Submitted by EPA to the FAA. Notice 75-36. Docket 16020. November 28, 1975. (CWPS-109).

Emission Regulations for New Motorcycles. Docket AW-466. December 10, 1975. (CWPS-112).

Proposed Evaporative Emission Regulations for Light Duty Vehicles and Trucks. 40 CFR Part 86. March 18, 1976. (CWPS-134).

Proposed Revised Light Duty Truck Regulations for 1978 and Later Model Year Vehicles. 40 CFR Part 86. April 12, 1976. (CWPS-140).

Effluent Guidelines and Standards for Existing and New Sources in the Iron and Steel Manufacturing Point Source Category. 40 CFR 420. June 24, 1976. (CWPS-165).

Regulations Governing State Underground Injection Control Programs. 40 CFR 146. October 27, 1976. (CWPS-204).

Air Quality Standards: Interpretative Rule. March 7, 1977. (CWPS-233).

Standards of Performance for New Stationary Sources, Grain Elevators. 40 CFR Part 60. March 30, 1977. (CWPS-239).

Toxic Substances Control. 40 CFR Part 710. May 13, 1977. (CWPS-242).

Council analyzes alternative approaches to meeting EPA noise standards for motorcycles. June 22, 1978. (CWPS-278).

Council filed comments on EPA pretreatment standards for electroplating operations. August 31, 1978. (CWPS-283)

Council filed comments on proposed drinking water regulations. September 5, 1978. (CWPS-285).

RARG report on EPA proposed revisions to the National Ambient Air Quality Standard for Photochemical Oxidants. (CWPS-291).

ENVIRONMENTAL PROTECTION AGENCY (EPA) (cont.)

RARG List of Concerns on EPA proposed revisions to new source performance standards for steam electric plants. October 24, 1978. (CWPS-295).

Comments filed comments on proposed best conventional pollutant control technology. December 11, 1978. (CWPS-301).

Council comments on proposed revisions to new source performance standards for electric utility steam generating units. January 16, 1979.

Council filed comments on Local or Regional Coal Amendment to the Clean Air Act. March 1, 1979. (CWPS-309).

Council filed comments on behalf of RARG on proposed regulations concerning hazardous waste. March 19, 1979. (CWPS-312).

Council filed comments concerning proposed policy on the "bubble" concept in meeting air quality goals.

Council filed comments concerning proposed standards for particulate emissions from diesel automobiles and light-duty trucks. April 20, 1979. (CWPS-316).

Council filed comments concerning proposed regulations on water quality criteria for toxic substances under the Clean Water Act. FRL 1062-5. June 14, 1979. (CWPS-325).

Council filed comments on proposed regulations concerning emission standards for light-duty trucks. October 11, 1979. (CWPS-342).

Council filed comments urging EPA to consider improvements in its joint Federal-state program for determining water quality standards. October 22, 1979. (CWPS-344).

Council sent letter to EPA on proposed effluent standards for textile mills. February 15, 1980. (unnumbered).

Council filed comments on behalf of RARG on proposed EPA policies identifying, assessing, and regulating airborne carcinogens. February 21, 1980. (CWPS-363).

Council filed comments on behalf of RARG to EPA on its proposed effluent standards for the leather tanning industry. February 25, 1980. (CWPS-364).

Council sent letter to EPA on its proposed effluent standards for the ink formulating industry. March 31, 1980. (unnumbered).

HEALTH, SAFTEY AND THE ENVIRONMENT

FOOD AND DRUG ADMINISTRATION (FDA)

Proposed Exemption of Individually Wrapped Pieces of Confectionary from Required Net Weight Statements. May 19, 1975. (CWPS-46).

Prescription Drug Proposals. Docket No. 76 N0050, 0051, 0052, and 0054. September 26, 1975.

National Shellfish Safety Program. Docket No. 75 N0075. October 17, 1975. (CWPS-92).

Vinyl Chloride Polymers in Contact with Food. Docket No. 75 N0190. December 19, 1975. (CWPS-119).

Whole Blood and Red Blood Cells. Docket No. 75 N0136. January 13, 1976. (CWPS-123).

Drained Weights for Processed Fruits and Vegetables. Docket No. 75 P0166. May 12, 1976. (CWPS-152).

Infant and Junior Foods: Establishment of Common or Usual Name. 21 CFR Part 102. Infant Foods: Percentage Declaration of Ingredients. 21 CFR Part 125. October 13, 1976. (CWPS-198).

Proposed changes on Labeling of Estrogens for General Use. 21 CFR Part 310. November 3, 1976. (CWPS-206).

Council filed comments to FDA concerning over-the-counter drugs. Docket No. 76 N0052. January 7, 1977. (CWPS-223).

Council filed comments to FDA concerning poposed saccharin Action. Docket No. 77 N0086. June 15, 1977. (CWPS-249).

Council filed comments on behalf of RARG on proposed rules on labeling requirements for prescription drugs. November 6, 1979. (CWPS-348).

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)

Occupational Noise Exposure Regulation. Docket OSH-11. March 21, 1975. (CWPS-31).

Occupational Noise Exposure Standard for General Industry. Testimony. June 24, 1975. (CWPS-55).

Council filed comments concerning exposure to Coke Oven Emissions. Docket No. H-017A. Testimony. May 11,1976. (CWPS-149).

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) (cont.)

Council filed comments concerning occupational safety and health standards for agriculture. 29 CFR Part 1928. August 6, 1976. (CWPS-176).

Exposure to Inorganic Arsenic. Docket OSH-37. Testimony before OSHA public meeting. September 14, 1976. (CWPS-183).

Occupational Noise Exposure. Docket OSH-11A. Testimony before OSHA public meeting. September 22,1976. (CWPS-187).

Commercial Diving Standards. Docket H-102. January 18, 1977. (CWPS-226).

Proposed Standard for Exposure to Sulfur Dioxide. Docket No. H-039. April 1, 1977. (CWPS-238).

Proposed Standard for Exposure to Cotton Dust. Docket No. H-062. June 30, 1977. (CWPS-250)

Council has submitted to OSHA a report on its analysis of its proposal to reduce worker exposure to Acrylonitrile. May 22, 1978. (CWPS-272).

RARG report on proposal for the identification, classification and regulation of toxic substances posing a potential occupation carcinogenic risk. October 25, 1978. (CWPS-296).

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Procedures, Competitive Coal Leasing. 43 CFR Part 3520. April 20, 1976. (CWPS-142)

RARG List of Concerns on DOI Regulations for Surface Coal Mining and Reclamation. October 24, 1978. (CWPS-294).

Council filed a memorandum with DOI reviewing its proposed regulations for a Federal Coal Management Program. May 18, 1979. May 20, 1979. (CWPS-320).

Council sent letter to Bureau of Land Management (BLM) concerning its proposed target for Federal coal leasing in the Green-River area. November 8, 1979. (CWPS-349).

Council sent letter to Director of the Office of Surface Mining (OSM) responding to its request for comments concerning a petition to initiate a rulemaking repealing certain sections of OSM rules governing the discharge of sediment by coal mines. November 19, 1979. (CWPS-352).

CONSUMER AFFAIRS

CONSUMER PRODUCE SAFETY COMMISSION (CPSC)

Proposed Lawn Mower Safety Standard. October 3, 1975. (CWPS-91).

Architectural Glazing Materials. March 15,1976. (CWPS-133).

Proposed Matchbook Standards. June 1, 1976. (CWPS-157).

Commission Policy on Establishing Priorities. Testimony before Product Safety Advisory Council Public Hearing. August 17, 1976. (CWPS-178).

Proposed Lawn Mower Safety Standard. 16 CFR Part 1205. August 15,1977. (CWPS-255).

FEDERAL TRADE COMMISSION (FTC)

Proposed Trade Regulations Regarding Advertising of Opthamalic Goods and Services . May 7, 1976. (CWPS-147).

Care Labeling of Textile Products and Leather Wearing Apparel. September 24, 1976. (CWPS-141).

Trade Regulations Governing the Sale of Used Motor Vehicles. October 21, 1976. (CWPS-200).

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA)

Motor Vehicle Safety Standard 121. Air Brake Systems. Docket 74-10, Notice 8. December 26, 1974. (CWPS-18).

Motor Vehicle Safety Standard 105-75, Hydraulic Brake Systems. Docket 70-27. February 11, 1975. (CWPS-25).

Motor Vehicle Safety Standard 208, Occupant Crash Protection. Testimony before NHTSA public meeting. May 23, 1975. (CWPS-49).

Motor Vehicle Safety Standard 121, Air Brake Systems. Testimony before NHTSA public meeting. May 23, 1975. (CWPS-

Passenger Automobile Average Fuel Economy Standards. Docket No. FE- 76-2. January 7, 1977. (CWPS-224).

Occupant Crash Protection Standard for Future Passenger Cars. FMVSS 208. May 31, 1977. (CWPS-244).

Council Questions NHTSA's Fuel Efficiency Standards for Small Trucks. January 31,1978. (CWPS-264).

Council sent letter to NHTSA recommending they reopen the proceedings establishing a 5.0 mph bumper standard. January 25,

1980. (CWPS-356).

NATIONAL HIGHWAY TRAFFIC AND SAFETY ADMINISTRATION (NHTSA)

Council filed comments on behalf of RARG on proposed 1983-85 fuel economy standards for light trucks. March 31, 1980. (CWPS-373).

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE (HEW)
(Currently the Department of Health and Human Services (HSS)

Nondiscrimination on the Basis of Handicap. September 14, 1976. (CWPS-184).

Interim Regulations on the Acquisition, Alteration, and Renovation of Facilities for Multipurpose Senior Centers. November 9, 1976. (CWPS-208).

DEPARTMENT OF AGRICULTURE (USDA)

Price Support Program for Milk (1976-77 Marketing Year. February 4, 1976. (CWPS-128).

Price Support Program for Milk (1977-78 Marketing Year). March 4, 1977. (CWPS-232).

Council sent letter and staff memorandum to USDA on its proposed watershed protection program. February 19, 1980. (CWPS-362).

Council filed comments to USDA supporting its proposal to lift or modify the current treatment of reconstituted milk products in milk marketing orders. February 29, 1980. (CWPS-366).

BANKING AND TRADE

FEDERAL RESERVE BOARD AND FEDERAL DEPOSIT AND INSURANCE CORPORATION (FDIC)

Interest on Deposits: Pooling of Funds. Docket R-0024. May 10, 1976. (CWPS-150).

Interest on Deposits: Proposed Amendment to Permit Preauthorized Withdrawals from Savings Deposits to Cover Insufficient Funds Items. June 14, 1976. (CWPS-163).

Council Files Comments to Federal Reserve Board. March 20, 1978. (CWPS-266).

Council files comments before Board of Governors of the Federal Reserve Board concerning the Creation of New Deposit Categories. Docket No. 4-0215. May 17, 1979. (CWPS-317).

COMMODITY FUTURES TRADING COMMISSION (CFTC)

Commodity Options Transactions Proposed Amendment of Interim Regulations. June 6, 1977. (CWPS-246).

Application for Designation of the Commodity Exchange, Inc. as a Contract Market for Trading in Zinc. July 28, 1977. (CWPS-253).

Council Opposes Ban on Commodity Options Trading. March 7, 1978. (CWPS-265).

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

New Community Development Corporation. September 23, 1976. (CWPS-78).

INTERNATIONAL TRADE COMMISSION (ITC)

Importation of Passenger Automobiles from Europe, Canada, and Japan. Investigation No. AA 1921 INO-2. September 5, 1975. (CWPS-78).

Petition of American Footwear Industries Association, et al. Docket TA-201-7. December 8, 1975. (CWPS-113).

Petition of the American Footwear Industries Association, et al. Docket No. TA-201-18. December 7, 1976. (CWPS-217).

Sugar. Investigation No. TA-201-16. December 20, 1976. (CWPS-220).

Television Receivers, Color and Monochrome, Assembled or Not Assembled, Finished or Not Finished and Subassembles Thereof. Investigation No. TA-201-19. January 18, 1977. (CWPS-227).

Conditions of Competition in U.S. Markets Between Domestic and Foreign Live Cattle and Cattle Meat Fit for Human Consumption. Investigation No. TA-201-25. July 12, 1977. (CWPS-252).

Unalloyed Unwrought Zinc. Investigation No. TA-201-31. April 10, 1978. (CWPS-268).

Council Urged ITC not to Accept the Petition of Domestic Copper Producers seeking Import Quotas for Foreign Producers. June 29, 1978. (CWPS-279).

Council sent a letter to the Federal Trade Commission with a staff report concerning carbon steel plate from Poland. June 6, 1979. (CWPS-321).

BANKING AND TRADE

SECURITIES AND EXCHANGE COMMISSION (SEC)

Eligible Securities: Dissemination of Quotations. File No. S7-648. October 6, 1976. (CWPS-194).

COMMUNICATIONS

FEDERAL COMMUNICATION COMMISSION (FCC)

AT&T 1975 Interstate Rate Increase. Transmittal No. 12231. Petition for Suspension and Investigation. January 23, 1975. (CWPS-22).

AT&T Charges for Interstate Telephone Service. Transmittal No. 12241. Motion for a Commission Order to Expand Hearing. March 17, 1975. (CWPS-30).

UHF Television Receiver Noise Figures. Docket 21010 RM-2577. March 16, 1977. (CWPS-235).

Council Comments to FCC on UHF-TV Noise. May 10, 1978. Unnumbered.

Council comments to FCC on its proposal to reduce regulatory requirements for nondominant communications common carriers. February 14, 1980. (CWPS-360).

Council comments to FCC on proposed rule to eliminate programming, commercialization, and ascertainment requirements on commercial radio stations. March 25, 1980. (CWPS-372).

U.S. POSTAL RATE COMMISSION

Regulations Implementing Private Express Statutes. Docket No. R76-4. January 16, 1976. (CWPS-125).

ENERGY

FEDERAL ENERGY ADMINISTRATION (FEA)

Mandatory Petroleum Price Regulations: Retail Gasoline Markup. March 21, 1975. (CWPS-34).

Coal Utilization Regulations. March 21, 1975. (CWPS-34).

DEPARTMENT OF ENERGY (DOE)

Council comments to DOE/FERC on Natural Gas Curtailment Compensation. January 31, 1978. (Unnumbered).

DEPARTMENT OF ENERGY (DOE) (cont.)

Council files before DOE, Economic Regulatory Administration concerning Liquified Natual Gas (LNG). May 8, 1978. (CWPS-271).

Council comments concerning the case of Union Oil Company of California, Case No. DEE-5748 and its application for an exception to DOE regulations because it would spread higher crude-oil costs to other refiners. October 26, 1979. (CWPS-346).

Council comments on behalf of RARG on DOE interim rules on the 1978 Powerplant and Industrial Fuel Use Act for Newly Constructed and Existing Facilities. October 31, 1979. (CWPS-347).

Council comments on DOE proposed new procedure for oil and gas lease sales on the Outer Continental Shelf. November 15, 1979. (CWPS-350).

Council sent leltter to DOE requesting the comment period on proposed gasoline pricing rules for resellers and reseller-retailers be extended. February 1, 1980. (CWPS-357).

Council filed comments before DOE on a proposed net profit share leasing system for outer continental shelf oil and gas tracts. March 7, 1980. (CWPS-369).

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

Council comments on FERC proposal concerning Leaded and Unleaded Gasoline. December 23, 1977. (CWPS-260).

Council comments supporting FERC's proposal to encourage production of natural gas from low-permeability formations. October 16, 1979. (CWPS-343).

Council sent letter to FERC on its proposal for implementing Phase II of incremental pricing for natural gas. March 7, 1980. (CWPS-368).

FEDERAL POWER COMMISSION (FPC)

Fuel Adjustment Provisions in FPC Rate Schedules. Docket RM 75-29. September 3, 1975.

Fuel Adjustment Provisions in FPC Rate Schedules. Docket RM-75-29. Supplemental Comments. Octoboer 7, 1975. (CWPS-87).

Council comment on Fuel Cost Data. October 14, 1977. Unnumbered.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA)

Coastal Energy Impact Program Qualifications for State and Local Governments. November 22, 1976. (CWPS-210).

TENNESSEE VALLEY AUTHORITY (TVA)

Council sent letter to Chairman of TVA concerning the possible downward adjustment of their rates. June 13, 1979. (CWPS-324).

LABOR

DEPARTMENT OF LABOR (DOL)

An Analysis of Certain Aspects of the Administration of the Davis-Bacon Act. June 25, 1976.

Council comments on DOL proposal to increase the salary test levels used in detrmining overtime requirements under Fair Laobr Standards Act. June 12, 1978. (CWPS-277).

Cost of Living Escalator Clauses and Inflation. August 1975, (available only through the Government Printing Office) Stock No. 041-006-00039-1, $1.45

1976 Collective Bargaining Negotiations: A Background Paper. January 1976, (available only through the Government Printing Office) Stock No. 0041-014-00038-5, $2.10

Union Relative Wage Effects: New Evidence and a Survey of Their Implications for Wage Inflation (Orley Ashenfelter Study), June 2, 1976.

State and Local Government Employee Compensation Data Needs. October 1976, (available only through the Government Printing Office)

Council Analyzes Steel Settlement. June 1, 1977. (CWPS-245).

Council Analyzes New Contract in Communications. October 14, 1977. (CWPS-256).

Council Analyzes Longshoremen's Contract. January 23, 1978. (CWPS-262).

Council Study of Inflation Impact of Recent Labor Settlement in the Bituminous Coal Industry. April 14, 1978. (CWPS-274).

Council Criticizes Wage Settlement of IBEW and Electrical Contractors in San Francisco Bay Area. June 1, 1978. (CWPS-275).

Council's Final Analysis of the Labor Settlement in the Bituminous Coal Industry. June 1, 1978. (CWPS-276).

DEPARTMENT OF LABOR (DOL) (cont.)

Council comments to DOL recommending additional analysis of proposed regulations defining pension plan assets. February 27, 1980. (CWPS-365).

Council comments to DOL on proposed regulations ensuring nondiscrimination on the bais of handicap for programs funded by DOL. March 4, 1980. (CWPS-367).

HEALTH

Note: The following Council publications are available only through the Government Printing Office.

The Problem of Rising Health Care Costs. April 26, 1976. Reprinted as Appendix II of The Complex Puzzle of Rising Health Care Costs. December 22, 1976. Stock No. 052-003-00255-8, $1.70.

The Rapid Rise of Hospital Costs. January 17, 1977. Stock No. 052-003-00303-1, $1.70.

A Study of Physicians' Fees. March 1978. Stock No. 041-001-00163-8, $3.25.

COUNCIL REPORTS FILED ON BEHALF OF THE REGUALTORY ANALYSIS REVIEW GROUP (RARG)

Letter on review of DOT proposed "nondiscrimination on the basis of handicap" regulation. July 19, 1978. (CWPS-282).

Report to EPA on proposed revisions to the National Ambient Air Quality STandard for Photochemical Oxidants. (CWPS-291).

Report to DOT on proposed regulations on nondiscrimination on the basis of handicap. October 23, 1978. (CWPS-293).

List of Concerns to DOI on proposed regulations on Surface Coal Mining and Reclamation Permanent Regulatory Program. October 14, 1979. (CWPS-294).

List of Concerns on EPA proposed revisions to New Source Performance Standard for Steam Electric Plants. October 24, 1978. (CWPS-295).

Report to OSHA on proposal for the Identification, Classification, and Regulation of Toxic Substances posing a potential Occupational Carcinogenic Risk. October 25, 1978. (CWPS- 296).

*U.S. GOVERNMENT PRINTING OFFICE: 1980-0-730-728/55

Executive Office of the President
Council on Wage and Price Stability
Washington, D.C. 20506

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a quarterly report of the Council on Wage and Price Stability

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EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON WAGE AND PRICE STABILITY
WINDER BUILDING, 600 - 17TH STREET, NW.
WASHINGTON, D.C. 20506

The President
The White House

Dear Mr. President:

Enclosed is the twenty-third quarterly report on the activities of the Council on Wage and Price Stability. These reports are required by Section 5 of the Council on Wage and Price Stability Act. This report covers the Council's operation during the first quarter of the three-month period, April through June, 1980.

The activities of the Council during that time are reported in the body of the report. A chronology of events during the quarter and a complete listing of all Council publications, reports, and filings appear in appendices.

Respectfully,

Charles L. Schultze
Chairman

R. Robert Russell
Director

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COUNCIL AUTHORITY

Congress created the Council on Wage and Price Stability through enactment of the Council on Wage and Price Stability Act (P.L. 93-387), signed by the President on August 20, 1974. The original Act was amended, and the Council's authority subsequently extended, by PL 94-78, PL 95-121, and PL 96-10.

The extension signed by the President on May 10, 1979, continued the authorization until September 30, 1980, increasing the authorization for expenditures to $6,952,000 during fiscal year 1979 and to $8,483,000 for fiscal year 1980; it also provided up to 233 employees. Previously, the Council had been authorized $2,210,000 annually for 39 employees.

Public Law 96-10 directed the Council also to focus on productivity, including preparing a report to Congress, and on full employment.

Executive Order 12092 delegated responsibility to the Council to publish wage and price standards, to monitor compliance, and to identify noncompliers. Executive Order 12161 revised the standards and provided for the expanded role of the Pay Advisory Committee and of the Price Advisory Committee.

A text of Public Law 96-387, as amended, appears in the appendix of this report.

Council Responsibilities

It is the Council's responsibility under the Act to monitor and analyze inflationary activities throughout the economy. In the private sector, the Council examines price and wage activities for their inflationary effect. The Council conducts comprehensive studies of certain major industries as well as investigations of specific price or wage increases as they are announced. These investigations are intended to discover whether price increases are warranted by cost or demand considerations. Where the Council has found a wage or price increase to be inflationary, it has issued public statements of its findings and, on occasion, has requested a delay or a reduction in the increase.

The Council also reviews the activities and programs of the departments and agencies of the Federal government to discover whether they have any inflationary effect. It does this in two ways. First, with respect to the independent regulatory agencies and the Executive Branch agencies, the Council, pursuant to its statute, "review(s) and appraise(s) the various programs, policies, and activities of the departments and agencies of the United States for the purpose of determining the extent to which

those programs and activities are contributing to inflation; and intervene(s) and otherwise participate(s) on its own behalf in rulemaking, ratemaking, licensing and other proceedings before any of the departments and agencies of the United States, in order to present its views as to the inflationary impact that might result from the possible outcomes of such proceedings." Second, the Council provides staff support for the Regulatory Analysis Review Group created to complement Executive Order 12044.

The Council also is responsible for publishing wage and price standards, monitoring compliance with the standards, and publishing a list of firms which are out of compliance with the standards.

CHAPTER I

THE COUNCIL AND THE ANTI-INFLATION PROGRAM

A Brief Review

After more than a year of accelerating inflation, the rate of price increase slowed substantially during the second quarter of 1980. The Consumer Price Index (CPI) rose at an annual rate of less than 12 percent during the three months ending in June. This compares to an annual rate of increase of about 18 percent during the first quarter of 1980 and 14 percent during the second half of 1979.

Much of the deceleration is attributable to a substantially slower rate of increase in energy prices--the component which contributed the most to the general price surge during the preceding nine months. Energy prices had risen at a 65-percent annual rate during the first quarter of 1980; during the second quarter, they increased at a single-digit annual rate for the first time since the pay and price standards were initiated in October 1978. However, energy was not the only component of the CPI whose increase in prices rose at a slower rate during the second quarter. Transportation expenditures excluding gasoline costs, which increased more than 10 percent during the first three months of 1980, climbed at the more moderate rate of 6 percent over the second quarter. Costs of apparel and upkeep, medical care, and entertainment, all of which increased at double-digit rates of 15 percent or more during the first quarter, accelerated at single-digit rates during the second quarter. The most dramatic deceleration of these components occurred in the cost of apparel and upkeep which increased at an annual rate of only 0.5 percent during the quarter, compared to a rate of increase of 15-percent in the first three months of 1980.

For the same quarter, food prices moved counter to the general trend. The cost of food climbed at an annual rate of 5.6 percent in the second quarter, compared to 3.8 percnt in the preceding three-month period. This trend of accelerating food prices is expected to continue for the balance of 1980.

The second-quarter deceleration was also evident in most measures of the underlying rate of inflation. The PPI-based underlying rate slowed from more than 14-percent in the first quarter to less than 10 percent during the three months ending in June. The CPI-based underlying rate rose at about a 9-percent annual rate in the second quarter, compared to 12.7 percent in the first quarter. Even the PCE-based measure (Personal Consumption Expenditures deflator) -- perhaps the least volatile of the undelying rate measures -- decelerated by almost one percentage point during the second quarter.

Measures of the underlying rate of inflation are designed to exclude the effects of volatile forces such as food and energy prices and mortgage interest rates. It should be noted that these index-based measures of the underlying rate are imperfect because they include some of the indirect pricing effects of changes made in those excluded sectors.

The deceleration in the inflation rate during the second quarter along with other economic data seem to indicate that the economic actions outlined by the President on March 14 are succeeding in reducing inflationary expectations.

The Second-Program Year: Second Quarter Review

In May, the Council released an interim report, measuring the effectiveness of the Pay and Price Standards. According to the report, during the period October 1978 through March 1980, the annual rate of increase of the CPI-based underlying rate would have been 1.1-to-1.5 points higher without the wage-price program. It was also estimated that during the same period the CPI rose at an annual rate of 0.5-to-0.75 points less and average hourly earning rose at an annual rate of 1.8-to-2.0 points less, both as a result of the pay and price standards. The statistical estimates were derived by comparing actual wage and price increases during this time period with the increases that would have been expected on the basis of past experience.

In June, the Council published its Inflation Update, which focused on wage and price trends during the first half of 1980. The Council cited the significant deceleration in the rate of wage and price inflation during April and May as strong evidence of the impact of the Administration's anti-inflation efforts. The Council, however, warned that serious underlying inflationary pressures remain in the economy. The Inflation Update also contained an analysis of different measures of compensation, income shares, and international inflation experiences.

CHAPTER II

PRICE MONITORING

During the second quarter of 1980, the Price Monitoring Office was primarily engaged in resolving the remaining questions of noncompliance from the first program year, monitoring inflationary trends and corporate compliance during the second program year, and developing price standards for the third program year.

In conformity with the President's March 14 announcement, the Price Office during this quarter expanded the universe of companies regularly reporting compliance data to the Council to include firms with annual revenues from $100 million to $250 million. The Office also helped develop Council plans for increasing the size of the staff, for implementing a program of selective prenotification of price increases, and for establishing field-audit teams. These plans, however, were set aside after the House Banking, Finance and Urban Affairs Committee recommended an extension bill for the Council with little increase in authorized appropriations, and the Senate passed a similar measure.

The Office's regular monitoring activities of assessing companies' compliance, investigating pricing activities in targeted industrial sectors, analyzing exception requests, and evaluating reconsideration requests continued throughout the quarter. The analysis of companies' compliance reports focused on selected PM-1 filings for the first quarter of the second program year and, towards the end of this period, on the filings for the second quarter. The reduced workload that resulted from the February 11 decision to waive the first-quarter filing requirement for most companies allowed the Office's staff to concentrate on resolving the remaining instances of probable noncompliance that had occurred during the first program year. It also permitted the Office to settle many of the second-program-year exception request that had been filed in the first half of 1980.

SECOND-YEAR AND THIRD-YEAR STANDARDS

The Council made several minor revisions of the second-year standards during the second quarter of 1980. Certain Questions-and-Answers (Qs&As) relating to the modified price standard for gas, electric, and water utilities were revised, and the price standard was amended to permit certain companies to pass through cost increases for the gold or silver they used. In addition, the Council developed an adjustment for airline companies that allowed them to passthrough large increases in fuel costs. The alterations in the utilities' Qs&As eliminate any special burden

that the modified standard for utilities could impose on utilities with substantial construction projects under way. The gold-and-silver passthrough amendment provides an adjustment of the two-year price limitation for companies whose gold or silver costs were greater than one percent of their revenues from products containing these metals. Similarly, the adjustment for airline companies raises their allowable two-year price limitation to provide a dollar-for-dollar passthrough of actual and projected increases in fuel costs. These last two actions reflect the Council's long-standing commitment to consider adjustments of price limitations for especially large, uncontrollable cost increases.

The Price Office during the second quarter also began work on price standards for a third program year, which begins on October 1, 1980. As the first steps in developing the third-year standards, the Council initiated a review of the efficacy of the standards program to date and identified the major problems and issues for designing these guidelines. The Price Office assisted in preparing and analyzing the aggregated company-specific data used in the evaluation of the standards. The Price Office staff also sought to isolate various issues and problems with the standards, drawing on their experiences with the first- and second-year programs and their interpretations of business's reactions to the guidelines.

The Price Office then prepared a preliminary draft of an "issue paper" to be used in soliciting public comments and suggestions on the need for and character of price standards for the third year. The resulting document, The Pay/Price Standards Programs: Evaluation and Third-Year Issues, was released by the Council on July 11, 1980.

MONITORING ACTIVITIES

Price Monitoring

The Office of Price Monitoring's main activity during the quarter was monitoring companies' compliance with the price standards. This activity includes reviewing, analyzing, and acting on companies' quarterly reports on prices, margins, and profits (Form PM-1). In addition, the Price Office staff carefully follows pricing actions and business activities in the various economic sectors for evidence of inflationary prices. This kind of evidence is used in conjunction with the quarterly data reports in assessing compliance with the standards.

The Office concentrated its monitoring efforts during this quarter on the few remaining questionable or incomplete reports for the fourth quarter of the first program year and on the several hundred reports requested from selected companies for the first quarter of the second program year. (The filing requirement for the first quarter of that year had been waived for most companies in February 1980, but companies in targeted

inflationary industries had been asked to report for that quarter.) Toward the end of the second quarter, the Office also began an analysis of the reports filed for the second quarter of the second program year.

In a related activity, the Office completed the task of identifying the companies subject to the quarterly reporting requirement as a result of the lowering of the reporting threshold to $100 million. Information on the standards was sent to the approximately 1,700 companies with net revenues from $100 million to $250 million in the fiscal year completed before October 2,1979. The Office also assisted in a series of introduction-to-the-program meetings for the newly reporting companies, and responded to numerous questions from those firms.

Noncompliance Actions

By the end of the second quarter, the reviews of fourth-quarter and fifth-quarter reports had resulted in the issuance of 38 additional Notices of Probable Noncompliance, with 44 more Notices in various stages of preparation at the quarter's close. The Notices issued during the second quarter brought the total number issued to 183. A Notice of Probable Noncompliance is not a final decision that a company or a compliance unit is out of compliance with the price standards; rather it initiates a discussion between the Council and the company about the latter's compliance status. During the quarter, final decisions were made in 25 cases. In ten instances, the Council found that the company was in fact in compliance with standards. In another case the Council determined that noncompliance was the result of uncontrollable cost increases and so approved the company's request for an exception. Five of the closed cases were concluded with decisions of noncompliance, and nine cases were settled when the company agreed to take corrective action to avoid a decision of noncompliance. In addition to these closed cases, three noncompliance decisions from the previous quarter were reversed when the companies agreed to take corrective action to bring themselves back into compliance.

Exceptions and Reconsiderations

Besides monitoring compliance, the Price Office receives and acts on requests from companies for exceptions from the price limitation or modified price standards. Under the Council's rules, companies subject to the reporting requirements may request such exceptions for reasons of uncontrollable costs, inability to compute price or gross-margin changes, undue hardship, or gross inequity. The Price Office reviews these requests to determine if they are warranted, and issues decisions granting or denying such requests.

During the second quarter of 1980, the Council received 232 exception requests--14 for the first program year (mostly in response to Notices) and 218 for the second. The Price Office in

this period closed 192 of the new or previously received requests, with six decisions on first-year requests and 186 on second-year ones. Of the requests closed during the quarter, 114 were granted; the remaining 78 requests were denied, closed administratively or by interpretation, or withdrawn by the company.

Under the Council's procedures, companies may request reconsideration of adverse decisions of noncompliance or on exceptions requests. Sixteen requests for reconsideration of exception decisions and two for reconsideration of noncompliance decisions were received during the quarter. During the same period, the Council reached decisions on 13 exception reconsideration requests and on three noncompliance reconsideration requests, approving seven of the former and two of the latter. Four exception reconsiderations were denied and two were withdrawn, and one noncompliance reconsideration was denied. The total number of reconsideration decisions on exceptions was therefore brought to 58 during the quarter, and the total for noncompliance reconsideration decisions reached 11.

PRICE ADVISORY COMMITTEE

The Price Advisory Committee met three times during the quarter, on April 16, May 14, and June 11. The first and second of these meetings were followed by the Committee's issuance of specific recommendations.

After the April 16 meeting, the Price Advisory Committee issued a series of recommendations for changes in the standards and a set of principles for the program. The major recommendation was an increase in the aggregate price standard for the second year--from 6.75% to 7.5%--to take account of the changes in the pay standard in April. The committee's proposal would raise each compliance unit's annual allowable rate of price increase by 1.25 percentage points. Similar adjustments were recommended for the dollar-profit test of the profit limitation. In addition, the Committee recommended adoption or study of changes in the percentage-gross-margin and gross-margin standards because of the increase in interest costs and other problems encountered by retailers and food processors. Finally, the Committee issued a set of principles for the standards program, including (a) the importance of such a program, (b) the need for reappraisal of both the pay and the price standard because of changes in one or the other, or in exogenous conditions, (c) the benefits of compliance-encouraging guidelines, (d) the value of keeping most companies on the price limitation instead of the profit limitation, (e) the necessity for some adjustment of the standards because of higher interest costs, and (f) the adoption of the proposals made by the committee in its interim report in March.

After the May 14 meeting, the Price Advisory Committee issued a report summarizing the findings of its study of health

care costs and recommending intensified monitoring of these costs. Specifically, the Committee called for (a) rapid issuance of 1980 hospital-cost guidelines, (b) a monitoring program for hospital costs and physicians' fees that included national and geographical developments, individual hospital costs, and individual hospital fees, (c) improved data on costs and fees, including reports from revolving stratified samples of hospitals and physicians, (d) examination of Medicare reimbursement requests and (e) a strong directive from the Administration for implementing such restraints.

The Council's Chairman Alfred Kahn accepted the Price Advisory Committee's recommendations on health care costs on June 5, and he accepted its set of principles for the guidelines program on May 7. However, the Council declined to use the Committee's specific recommendations for changing the price standards because it was unconvinced that there was a need for such blanket relaxation, particularly in the middle of the program year. Instead, the Council's Chairman proposed to adopt the principles as one basis for examining exception requests during the remainder of the second program year and to embody them in the standards for the third program year.

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CHAPTER III

PAY MONITORING

The second-year pay standard was announced late in the first quarter of 1980. Activities in the Office of Pay Monitoring during the second quarter centered around the administration of the new standard. The staff responded to a variety of phone and written inquiries requesting clarification of the standard and information about its implementation. The staff continued to monitor compliance with the pay standard, which included the collection and analysis of company filings on pay actions, reviewing requests for exceptions to the pay standard, and working on noncompliance actions.

Because the staff received repeated inquiries about certain aspects of the revised standard, additional interperative questions and answers were published on June 3. Moreover, comments from business and labor and a recommendation from the Pay Advisory Committee led to a policy change regarding the size of allowable pay increases in individual years of multi-year pay plans, which was announced June 25.

Steel and Aluminum Agreements

In its monitoring activities, the Office has paid particular attention to industry-wide and pattern-setting collective bargaining agreements. The first major contract settlement concluded after the announcement of the revised pay guidelines occurred in April, between the major U.S. steel producers and the United Steelworkers of America. The three-year contract, using the assumed 7.5 percent annual inflation rate to evaluate the cost-of living formula as provided for under the standard, was well within the 7.5 percent to 9.5 percent range of allowable pay increases.

On May 30, the nation's major aluminum companies also signed three-year agreements that the Council determined to be in compliance.

Compliance Reports

Compliance units with 10,000 or more employees were asked to report their pay-rate changes for the first program year by February 15. During the second quarter the staff continued to review the company submissions for accuracy and compliance.

The reporting threshold was lowered to compliance units with 5,000 or more employees for the second program year. On June 9, the Council requested these compliance units to submit information on their pay actions for the second program year on a prospective basis by July 11.

Exceptions and Notices of Inquiry

A total of 60 exception cases were closed during the second quarter of 1980. Of these, 24 were for collective-bargaining units and 36 were for non-collective bargaining units. One case previously denied was closed during this period under the reconsideration procedure.

Presented below is a distribution of these cases by type of exception and status.

Pay Exception Requests Closed, Second Quarter 1980 and Pending Cases as of 6/30/80* By Type of Exception

Status	Tandem	Productivity Work-Rule Change	Acute Labor Shortage	Gross Inequity	COLA-Related Inequity	Total
Approved	2	0	15	21	6	44
Partially Approved	0	0	2	1	0	3
Denied	1	1	0	1	0	3
Self-Admin.	0	0	0	2	0	2
With-drawn	0	2	3	3	0	8
Total	3	3	20	28	6	60
Pending as of 6/30/80	0	1	1	7	2	11

* Includes Reconsiderations

Under the second-year standard, tandem exceptions did not require prior Council approval and could be self-administered. Companies self-administering a tandem exception were to notify the Council and provide information on the size of the increase, the number of workers affected, and the leader unit. By June 30, the Council had received 84 such notifications.

Based on the monitoring of collective-bargaining agreements negotiated during the first program year, and company filings on non-union pay plans, the Office of Pay Monitoring had issued 56 Notices of Probable Noncompliance (now called Notices of Inquiry) by the end of the second quarter of 1980. Of these, 14 were found in compliance and 10 were resolved through the approval of an exception. An important part of the program is to encourage companies with pay plans that are not in compliance to take corrective action which the Council believes will offset the excess pay increases. The Council has accepted corrective action plans from eight companies, thus bringing these companies into compliance. Of the 56 firms that received a Notice of Inquiry, 17 had a decision of noncompliance and seven of these cases were still outstanding at the end of the quarter. One reconsideration request of an initial noncompliance decision was outstanding at the close of the quarter.

PAY ADVISORY COMMITTEE

The Pay Advisory Committee met twice during the three-month period April through June; on April 8 and May 9.

At the April 8 Meeting, the Pay Advisory Committee issued a series of policy recommendations on procedures for consideration and adoption by the Council. The Committee also requested two CWPS staffers to be responsible for facilitating the work of the Advisory Committee. Ileane Rosenthal was appointed to work with the Advisory Committee's management group, and Peter Tchirkow was appointed to work with the labor members.

On May 9, the Committee discussed the implications for the pay standard of the recommendations of the Price Advisory Committee in April. It also discussed the application of the existing pay standard to pensions. Also, the Pay Advisory Committee adopted a proposal calling for an expansion of existing BLS data that would be useful to the Committee in conducting its business.

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CHAPTER IV

REGULATORY ANALYSIS AND REVIEW

Rail Market Dominance

On April 2, the Council submitted comments to the Interstate Commerce Commission supporting a proposed policy change that would free a substantial volume of rail traffic from maximum rate regulation. The Council also supported the concept of a no-suspend zone for changes in rail freight rates.

The intent of the Railroad Revitalization and Regulatory Reform Act (4-R Act) was to allow the railroads rate flexibility where competitive pressures protect shippers from unreasonable rates. The original market dominance rules adopted by the Commission in 1976 are overly restrictive and have resulted in virtually none of the rate flexibility envisioned by the 4-R Act. As a consequence, railroads have continued to rely on inefficient general rate increases.

The Council found that the major advantage of the proposed policy is that it establishes a clear and well-defined threshold that rules out market dominance as an issue for a substantial volume of rail traffic. This significantly simplifies rate setting procedures and avoids costly case-by-case litigation. If fully utilized by the railroads, these procedures will provide the opportunity to replace general rate increases with individual price changes that reflect underlying demand and cost conditions.

The Council recommended several changes to improve the proposal. First, the ICC should continue to develop better measures of rail costs and carefully monitor rates and shipper protests to ensure the proper threshold indicators are used. Second, long-term substitution possibilities and potential competition should be made an explicit part of the substantive tests of market power. Third, the no-suspend zone should be restated in real terms and based on an appropriate index of rail costs. Finally, to provide shippers with better protection from rail monopoly power and to ensure that the public benefits from intramodal competition, the Commission should open all rate bureau meetings to the public and prohibit rate bureau consideration, discussion, or voting on any rate that is in excess of 150 percent of variable costs. (Rates below 150 percent indicate *prima facie* evidence that there is effective competition.)

No final action has been taken to date.

Building Accessibility

On April 7, the Council sent a letter to the Architectural and Transportation Barriers Compliance Board on an advance notice of proposed rulemaking requesting comments on minimum guidelines

for accessibility by the handicapped. The Board is required by law to establish minimum guidelines for design, construction, and alteration of certain federally owned and federally assisted buildings. These minimum guidelines will serve as a basis for more detailed standards issued by four agencies: the General Services Administration, the Department of Housing and Urban Development, the Department of Defense, and the U.S. Postal Service.

The Council strongly endorsed the Board's effort to solicit advance comments on key issues to aid in formulating guidelines. The Council is concerned that these guidelines increase accessibility for the handicapped in the most cost-effective manner. Cost-effectiveness is a generally desirable objective because it ensures that maximum accessibility is achieved at a minimum cost.

To aid the Board in its development of guidelines, the Council suggested several rules that would increase cost-effectiveness:

- impose more stringent requirements on new construction than on existing buildings;
- have agencies develop lists of facilities and parts of facilities to be exempted because there are no conceivable handicapped users;
- avoid a blanket requirement that, if a sizable alteration is undertaken, additional parts of a facility must be made accessible regardless of cost per unit of accessibility gained;
- require accessibility modifications only if cost per additional handicapped user is less than or equal to a specific dollar figure set by the Board;
- require programs to be accessible when viewed, in their entirety rather than require every part of each program or facility to be accessible;
- limit required accessibility expenditures on existing buildings to a specified percentage of the market value of the building.

As of June 30, no action had been taken.

Flexible Rail Rates

On April 21, the Council submitted comments to the ICC concerning the development of railroad rates based on seasonal, regional, or peak-period demand. The proposed standards and procedures would replace the rules adopted by the Commission in 1977. These rules have not encouraged rail carriers to implement demand-sensitive pricing.

The proposed rule would permit carriers to implement, on 4 days notice, surcharges or discounts of up to 15 percent of the base commodity rate. The surcharges would be limited to a specified number of days per year or alternatively "triggered" by changes in the demand for cars or by carloadings. The proposal would also allow carriers to file flexible tariffs establishing upper and lower limits on specified rates.

Despite criticism of several aspects of the proposal, the Council believes that rate flexibility is a good idea. It should encourage individual carriers to experiment with peak/offpeak rates. This will contribute to increased productivity and more efficient resource use by enabling railroads to respond quickly to changes in the demand for specific services.

The Council recommended that the Commission modify its proposal to contribute towad more efficient demand-sensitive pricing by:

- o permitting larger rate discounts;
- o adopting a maximum time limitation rather than a quantity "trigger" limitation;
- o permitting sufficient rate flexibility to take into account geographical demand conditions;
- o reducing the need for detailed evidentiary justification for a rate flexibility zone;
- o abolishing mandatory car service rules and establishing more flexible per diem and demurrage charges in order to promote efficient rail services;
- o clarifying the ICC's role in the enforcement of contract rates in order to encourage their use; and
- o considering the relationship between the peak demand for individual shippers and system-wide peak before adopting any rule for partial exemption from regulation.

No final rules have been issued to date.

Steel Dumping

On April 23, the Council submitted comments to the International Trade Commission with respect to a petition by U.S. Steel Corporation that the domestic steel industry is being injured by dumped imports from seven European Economic Community Countries. This is the initial step in a three step process that could lead to the imposition of special dumping duties on five categories of carbon steel products from the seven countries.

The Council opposed a preliminary finding of injury. The Council supported the views submitted by the Department of Justice and supplemented the record with limited comments on four specific issues: the voluntary anti-inflation price standards; the trigger price-mechanism; Canadian and other nondumped imports; and market shares.

Since October 1978, the steel industry and other American industries have been operating under a set of voluntary price standards. To the extent that these standards have been binding (and reports submitted to the Council indicate the standards have been complied with), arguments that dumped imports have restricted steel-price increases are moot. Even in the absence of imports, prices would be restrained by the Council price standard.

Before the filing of this anti-dumping petition, the U.S. steel industry operated under the protection of a trigger price-mechanism (TPM). Imports priced below the TPM constituted prima facie evidence of dumping and automatically resulted in an accelerated anti-dumping investigation. The U.S. steel industry maintained that it could compete with prices at or above the TPM and the U.S. Steel Corporation petition did not allege that steel products from the European Economic Community were entering the country below the trigger price. It is therefore unlikely that imported European steel which was priced above the TPM caused injury.

The Council also found that more than one-half of Canadian steel imports enter the U.S. at prices below the TPM. Investigations have shown Canadian production costs to be below those used to calculate the TPM. Although these imports are approximately 28% as large as those covered by the petitions and average 10-15 percent below trigger price levels, they are not the subject of the petitions. If the ITC were to accept an argument of injury due to imported steel -- itself a dubious finding -- Canadian imports may expand to fill any gaps left by European imports.

Finally, an examination of domestic market shares for European Community imports, the domestic industry, and U.S. Steel Corporation indicates that there is little evidence of injury to domestic producers between 1978 and 1979. But, by examining market shares over a 20 year period, the increased penetration of

imports appears to have come primarily at the expense of U.S. Steel Corporation alone. This indicates that firm-specific factors rather than imports in general are the root of the injury contention.

The ITC found a preliminary indication of injury by means of dumping for all the petitions and sent the case to the Commerce Department to determine the dumping duty that should be placed on imports. The ITC must then make a final determination of whether dumping is causing injury to the domestic steel industry.

Direct-Route Authority

On April 24, the Council submitted comments to the ICC on a proposed rule that would temporarily allow regular-route motor carriers to operate their vehicles over the most direct routes between terminal points on their systems. The proposal would enable carriers to increase their efficiency and productivity and reduce fuel consumption.

The operating certificate of a regular-route motor carrier usually specifies the geographical route to be travelled when serving points on its system. In some instances, the specified route is quite circuitous. This causes an unproductive use of resources.

The Council strongly supported the proposal and urged the Commission to adopt the rule permanently. Adoption of the rule will result in direct savings of energy and other resources. The Council found no reason for not allowing these savings to continue longer than 180 days. In addition, the Council believes that permanent adoption of the rule will increase competition in the industry -- a benefit that is not likely to be significant if the rule is adopted only on a temporary basis.

The Motor Carrier Act of 1980, signed into law on July 1, requires the ICC to eliminate any regulations that lead to unnecessary fuel consumption.

Executive Order 12044

On April 28, the Council sent a letter to the Department of Energy on a proposed revision of its procedures for complying with Executive Order 12044, "Improving Government Regulations." The Council expressed concern that some of the changes proposed by DOE were inconsistent with the goals of the Executive Order.

The Council recommended changes in the procedures for preparation of regulatory analyses. First, the public should be provided at least a sixty-day, concurrent comment period for both the proposed regulation and the draft regulatory analysis. This ensures availability of the analysis that DOE uses as the basis

for regulatory decisions in time for informed public participation in rulemakings. The Council also stated that the scope of the regulatory analysis should be expanded to ensure that it addresses all salient policy issues. In the past, DOE has failed to identify the causes of the problem, how each alternative would remedy this problem, the impact of no government action, an analysis of the most likely economic consequences of each alternative, and the reasons for choosing the preferred alternative and for rejecting other alternatives.

No final action has been taken to date.

Building Energy Performance Standards

On April 30, the Council, acting on behalf of the Regulatory Analysis Review Group (RARG), submitted a report to the Department of Energy on proposed building energy performance standards.

The Energy Conservation Standards for New Buildings Act of 1976 requires that DOE promulgate building energy performance standards for new commercial and residential buildings. In passing this Act, Congress expressed concern that -- several years after the oil embargo -- builders in many cases still were not using proven energy conservation techniques. In an attempt to meet this Congressional concern, DOE proposed a set of design energy budgets per square foot of floor space based on building types, classes, and geographic location. The final standards will apply automatically to federal governmental buildings and to buildings that are directly federally insured or financed. The standards will not be applicable to other buildings unless both Houses of Congress pass a resolution to this effect within 90 legislative days after DOE promulgates final standards.

RARG's normal policy is to avoid questioning constraints placed upon an agency by statute. In this case however, the basic approach of the statute itself has such inherent difficulties that there may be no broad set of standards the agency can develop that will lead to overall cost-effective improvement in building design energy efficiency. Moreover, since passage of the Act, the building market has had an opportunity to respond to higher energy prices and the nation has adopted an energy policy that emphasizes replacement-cost pricing of energy resources. For these reasons some of the problems the Act originally was intended to correct may be less significant today, and RARG's analysis indicates that the BEPS approach might not be a feasible solution to the particular energy-related market failures that may indeed exist today.

The RARG recommended that DOE and the Congress reassess the desirability of BEPS and consider replacing it with other conservation programs, or, at the very least, postpone its effective date to allow DOE to revise its analysis and redesign

the standards. This would include a reevaluation of the energy budget levels, the use of weighting factors for different fuels, and the use of a noncompliance fee to increase program flexibility.

The deadline for issuing a final rule has been extended, and DOE has announced a schedule for reproposing the regulations over the next year. Both actions are consistent with the recommendations of the RARG report.

Cellular Mobile Communications

On May 1, the Council submitted comments to the Federal Communications Commission on its proposed policies for the development of cellular mobile communications systems. Cellular mobile systems are mobile radio systems with a capacity to use spectrum very efficiently through coordinated reuse of radio channels.

Cellular mobile technology has not been implemented on a commercial basis, although two systems are now in operation on an experimental basis in Chicago and the Washington/Baltimore area. The FCC is investigating what restrictions should be placed on this new technology and how to allocate available spectrum.

The Council determined that an auction would be the most efficient way to allocate the available spectrum among applicants. In absence of authority to auction spectrum rights, the Commission could achieve similar results by dividing the spectrum among all qualified applicants and allowing spectrum rights to be freely exchanged. The Council also suggested that to reduce the opportunity for anti-competitive practices, wireline carriers should not be allowed to play a dominant role in the provision of cellular services.

In addition, the Council recommended that the Commission relax its technical requirements to permit greater market determination of service quality and that the Commission's rules preempt state technical and entry standards to avoid conflicting regulation that may impede the development of radio technology.

No final action has been taken to date.

Medical Prepayment Plans

On May 19, the Council sent a letter to the Federal Trade Commission, commenting on an advance notice of proposed rulemaking concerning medical participation in certain open-panel medical prepayment plans. Studies prepared by the staff of the FTC and others indicate that Blue Cross and Blue Shield have attained a degree of market power and that they have used this

power not to the benefit of consumers, but of health care providers and administrators of Blue Cross and Blue Shield plans.

The Council noted that Blue Shield-sponsored studies reached conclusions contrary to those of the Commission's staff and hopes that a forthcoming General Accounting Office study and additional work by the FTC or other investigators will reconcile these differences. But even if research establishes a clear link between physician control of these plans and higher medical costs, finding appropriate remedies will not be easy. Divestiture of control from physicians may reduce physicians' reimbursement, but control by other groups -- for example, plan administrators or hospital administrators -- could lead to other inefficiencies. And if the basic source of Blue Shield's market power is the tax advantages it enjoys, a remedy is beyond the power of the Commission.

Since the Council has a long-standing interest in containing health care costs, it offered to assist the FTC further in this investigation.

Ammonia Regulation

On June 3, the Council submitted comments to the Environmental Protection Agency concerning a proposed change in the regulation of ammonia as a water pollutant.

Ammonia is currently classified as a "non-conventional" pollutant and industrial point sources are subject by 1984 to Best Available Technology (BAT) effluent standards. Sources are eligible for waivers from BAT requirements based on economic or receiving water quality factors. Under the proposal to list ammonia as a toxic water pollutant, point sources would be subject to BAT effluent limits, but would not be eligible for waivers.

The Council opposed listing ammonia as a toxic water pollutant. While ammonia is toxic to aquatic life, it is toxic to man only at very high concentrations and is not teratogenic, mutagenic, or carcinogenic. Since ammonia biodegrades in water, is not persistent, and does not bioconcentrate in aquatic life, the adverse effects of industrial ammonia discharges are restricted to the immediate locale of the discharge pipe. Regulation of ammonia as a non-conventional pollutant allows EPA to control discharges based on the costs and benefits on a site-specific basis. Listing ammonia as a toxic would impose a stringent regulation of ammonia discharges from industrial sources independent of the merits of doing so. In addition, industrial point sources are a relatively minor source of ammonia discharges; the major sources are sewage treatment plants and non-point sources (e.g., agricultural sources). As a result it is not clear that stringent regulation of industrial sources alone yields any significant benefits.

EPA also asked for comments on a petition to list ammonia as a "conventional" pollutant subject to Best Conventional Pollutant Control Technology (BCT) effluent limits. The Council found no clear basis to favor this approach over ammonia's current classification. While BCT standards are based upon a "cost reasonableness" criterion, the BCT limits are national standards developed to reflect average conditions. Since BCT limits do not allow for waivers based upon economic or water quality grounds, it may not be the best way of regulating substances like ammonia with water quality effects that are site-specific.

No final action has been taken to date.

Nondiscrimination

On June 9, the Council sent a letter to the Department of the Interior expressing concern that the agency had not analyzed the potential economic effects of its proposed guidelines to ensure nondiscrimination on the basis of handicap.

The Department of the Interior determined that the proposal is significant, but did not provide an economic assessment or regulatory analysis. Without reaching any conclusions about the merit of the DOI proposal, the Council believes that it may have major effects on the costs of several DOI supported programs such as education for Native Americans, the running of state and loal parks, and other programs in the areas of land management, mines, and reclamation. Without an explicit analysis of the costs and the accessibility achieved, it is impossible to ensure that the handicapped will receive the maximum beneift from any given budget expenditure.

The Council recommended that DOI review the issues raised by the Council and provide the public an opportunity to comment on the findings.

No action has been taken to date.

Milk Marketing

On June 30, the Council submitted comments to the Department of Agriculture opposing proposed revisions in the procedures for making producer payments in milk marketing orders.

The Association of Milk Producers, Inc. proposed that milk processors be required to make two partial payments each month (rather than the current single payment) before payment of the final adjustment. In addition, the partial payment rate would be increased by one dollar per hundred weight of milk for seven months of the year (August through February).

The Council found the proposed changes both costly and unnecessary. The acceleration and enlargement of partial payments do not increase the dollar amount that handlers pay producers. This does, however, increase handlers' costs (primarily interest costs) to the benefit of producers. If adopted nationwide, the annual cost increase would be $23 million.

The Council stated that the current market for milk is in severe disequilibrium as a result of high Federal price supports. This has caused the supply of dairy products during 1980 to increase substantially while demand has declined. In this environment, the Council found no sound rationale for an initiative that, in effect, raises milk prices.

No final action has been taken to date.

APPENDIX A

The Quarter At A Glance

April 2: The Council submitted comments to the ICC supporting a relaxation of the market dominance standard for rail rates. (CWPS-374)

April 7: The Council sent a letter to the Architectural and Transportation Barriers Compliance Board outlining how to achieve cost-effective guidelines for making buildings accessibile to the handicapped. (Unnumbered)

April 10: The Council in conjunction with the Department of Agriculture released its monthly food price report. (AIP-171)

April 19: The Council sent a letter and a copy of the RARG report on Effluent Limitation Guidelines for the Leather Tanning and Finishing Industry (CWPS-364) to EPA as part of the rulemaking establishing effluent standards for the petroleum refining industry. (Unnumbered)

April 22: The Council submitted comments to the ICC supporting the concept of seasonal and regional rate flexibility for railroads. (CWPS-375)

April 24: The Council submitted comments to the ITC opposing a finding of steel dumping by European Economic Community producers. (CWPS-376)

April 24: The Council submitted comments to the ICC supporting the permanent elimination of circuitous route requirements. (CWPS-377)

April 28: The Council sent a letter to DOE recommending some changes in the department's procedures for implementing Executive Order 12044. (Unnumbered)

May 1: The Council, acting on behalf of the Regulatory Analysis Review Group, submitted a report to DOE on proposed energy efficiency standards for new buildings. (CWPS-378)

May 1: The Council submitted comments to the FCC on the allocation of spectrum and regulation of cellular mobile communication technology (CWPS-379)

May 6: The Council released a report on the success of the first-program year standards on the inflation rate. (AIP-182)

May 9: Council released its 20th Quarterly Report.

May 22: The Council announced the current members of the Council on Wage and Price Stability. (AIP-187)

May 30: The Council released a staff report on Petroleum-Refinery Price Standards and National Energy Objectives. (AIP-191)

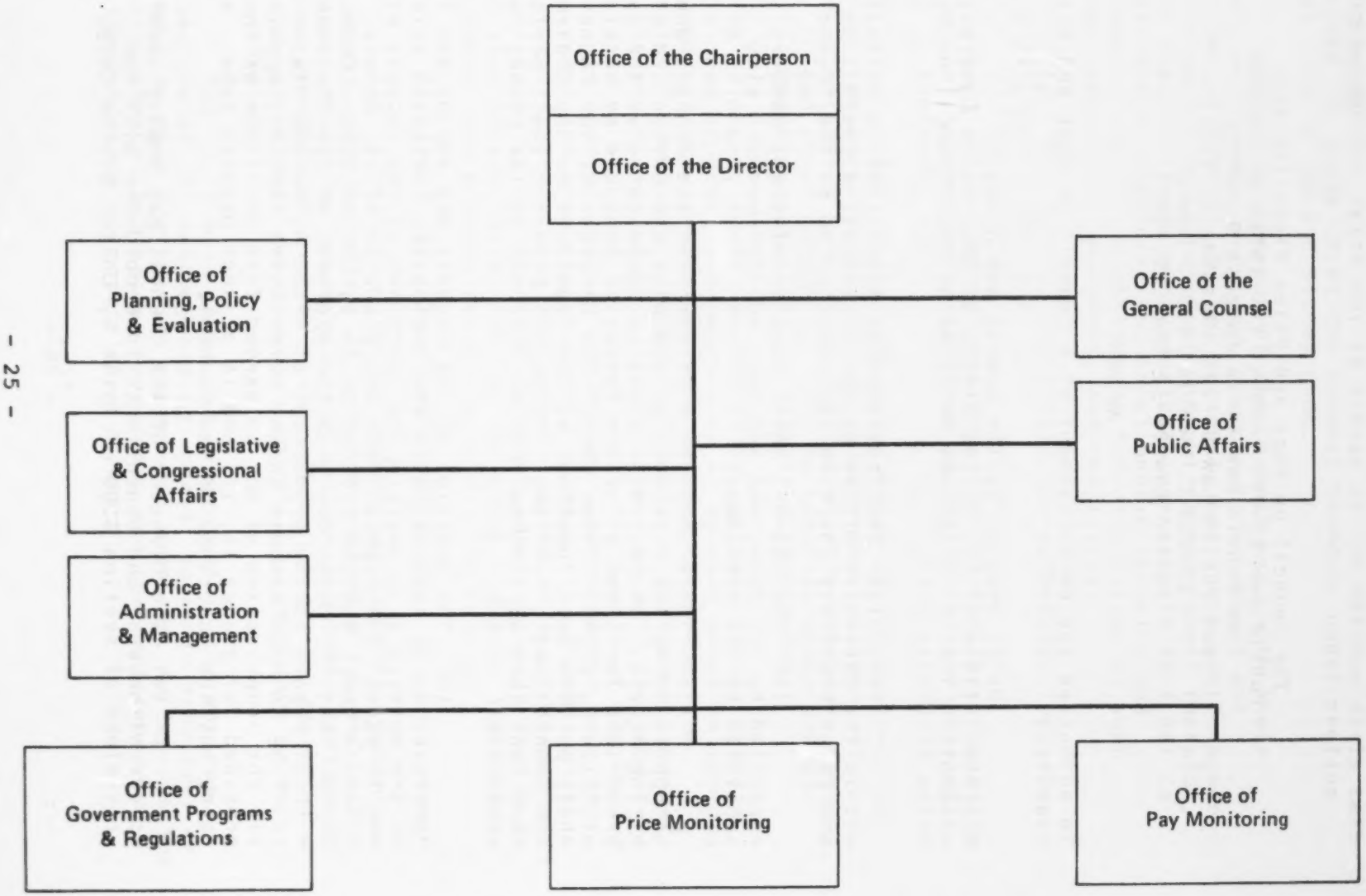
June 3: The Council submitted comments to EPA opposing the listing of ammonia as a toxic water pollutant. (CWPS-380)

June 9: The Council sent a letter to DOI expressing concern that no economic analysis was done on its regulations to ensure nondiscrimination on the basis of handicap. (Unnumbered)

June 11: The Council released its Inflation Update, reviewing the trends in inflation for the last half of 1979. (AIP-199)

June 30: The Council submitted comments to USDA opposing a partial payments scheme for milk marketing orders. (CWPS-381)

COUNCIL ON WAGE AND PRICE STABILITY ORGANIZATION CHART


Office of the Chairperson
Office of the Director
Office of Planning, Policy & Evaluation
Office of the General Counsel
Office of Legislative & Congressional Affairs
Office of Public Affairs
Office of Administration & Management
Office of Government Programs & Regulations
Office of Price Monitoring
Office of Pay Monitoring

The Council on Wage and Price Stability Act,
Public Law 93-387 (August 24, 1974) as amended
by Public Law 94-78 (August 9, 1975)
and Public Law 95-121 (October 5, 1977)
12 U.S.C. Section 1904, (note)
Public Law 96-10 (May 10, 1979)

AN ACT

To authorize the establishment of a Council on Wage and Price Stability

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Council on Wage and Price Stability Act".

Sec. 2(a) The President is authorized to establish, within the Executive Office of the President, a Council on Wage and Price Stability (hereinafter referred to as the "Council").

(b) The Council shall consist of eight members appointed by the President and four adviser-members also appointed by the President.

(c) There shall be a Director of the Council who shall be appointed by the President by and with the advice and consent of the Senate. The Director shall be compensated at the rate prescribed for level IV of the Executive Schedule by section 5315 of title 5, United States Code. The Director of the Council shall perform such functions as the President or the Chairman of the Council may prescribe. The Deputy Director shall perform such functions as the Chairman or Director of the Council may prescribe.

(d) The Director of the Council may employ and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions of the Council at rates not to exceed the highest rate for grade 15 of the General Schedule under section 5332 of title 5, United States Code. Except that the Director, with the approval of the Chairman may, without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service, appoint and fix the compensation of not to exceed five positions at the rates provided for grades 16, 17, and 18 of such General Schedule, to carry out the functions of the Council.

(e) The Director of the Council may employ experts, expert witnesses, and consultants in accordance with the provisions of section 3109 of title 5, United States Code, and

compensate them at rates not in excess of the maximum daily rate prescribed for grade 18 of the General Schedule under section 5332 of title 5, United States Code.

(f) The Director of the Council may, with their consent, utilize the services, personnel, equipment and facilities of Federal, State, regional, and local public agencies and instrumentalities, with or without reimbursement therefor, and may transfer funds made available pursuant to this Act to Federal, State, regional, and local public agencies and instrumentalities as reimbursement for utilization of such services, personnel, equipment, and facilities.

(g) The Council shall have the authority, for any purpose related to this Act, to --

(1) require periodic reports for the submission of information maintained in the ordinary course of business; and

(2) issue subpoenas signed by the Chairman or the Director for the attendance and testimony of witnesses and the production of relevant books, papers, and other documents, only to entities whose annual gross revenues are in excess of $5,000,000;

relating to wages, costs, productivity, prices, sales, profits, imports, and exports by product line or by such other categories as the Council may prescribe. The Council shall have the authority to administer oaths to witnesses. Witnesses summoned under the provisions of this section shall be paid the same fees and mileage as are paid to witnesses in the courts of the United States. In case of refusal to obey a subpoena served upon any person under the provisions of this section, the Council may request the Attorney General to seek the aid of the United States district court of any district in which such person is found, to compel that person, after notice, to appear and give testimony, or to appear and produce documents before the Council.

Section 3 (a) The Council shall --

(1) review and analyze industrial capacity, demand, supply, and the effect of economic concentration and anticompetitive practices, and supply in various sectors of the economy, working with the industrial groups concerned and appropriate governmental agencies to encourage price restraint;

(2) work with labor and management in the various sectors of the economy having special economic problems, as well as with appropriate government agencies, to improve the structure of collective bargaining and the performance of those sectors in restraining prices;

(3) improve wage and price data bases for the various sectors of the economy to improve collective bargaining and encourage price restraint;

(4) conduct public hearings necessary to provide for public scrutiny of inflationary problems in various sectors of the economy for the purpose of controlling inflation;

(5) focus attention on the need to increase productivity in both the public and private sectors of the economy, focus attention on the need to move toward full employment and take into consideration the need to stimulate productivity in monitoring wages and prices to determine compliance with promulgated standards;

(6) monitor the economy as a whole by acquiring as appropriate, reports on wages, costs, productivity, prices, sales, profits, imports, and exports;

(7) review and appraise the various programs, policies, and activities of the departments and agencies of the United States for the purpose of determining the extent to which those programs and activities are contributing to inflation;

(8) intervene and otherwise participate on its own behalf in rulemaking, ratemaking, licensing and other proceedings before any of the departments and agencies of the United States, in order to present its views as to the inflationary impact that might result from the possible outcomes of such proceedings; and

(9) review information about and analyze the effects on the United States economy of --

(A) the participation of the United States in international trade and commerce;

(B) the changing patterns of supplies and prices of commodities in the world market;

(C) the investment of United States capital in foreign countries;

(D) short-and long-term weather changes in the world;

(E) interest rates;

(F) capital formation; and

(G) the changing patterns of world energy supplies and prices.

(b) Nothing in this Act, (1) authorizes the continuation, imposition, or reimposition of any mandatory economic controls with respect to prices, rents, wages, salaries, corporate dividends, or any similar transfers, or (2) affects the authority conferred by the Emergency Petroleum Allocation Act of 1973.

(c) The Council is directed to review its policies with respect to the national interest in promoting greater productivity growth and shall submit a report of its findings and recommendations to the Congress by July 1, 1979. Such review shall include, but not be limited to, the need for flexibility in determining compliance with pay and price standards based upon documentable productivity gains resulting from improved efficiency of the workforce.

Section 4 (a) Any department or agency of the United States which collects, generates, or otherwise prepares or maintains data or information pertaining to the economy or any sector of the economy shall, upon the request of the Chairman of the Council, make that data or information available to the Council.

(b) Disclosure of information obtained by the Council from sources other than Federal, State, or local government agenices and departments shall be in accordance with the provisions of section 552 of title 5, United States Code.

(c) Disclosure by the Council of information obtained from a Federal, State, or local agency or department must be in accord with section 552 of title 5, United States Code, and all the applicable rules of practice and procedure of the agency or department from which the information was obtained.

(d) Disclosure by a member or any employee of the Council of the confidential information as defined in section 1905 of title 18, United States Code, shall be a violation of the criminal code as stated therein.

(e) Consistent with the provisions of section 7213 of the Internal Revenue Code of 1954, nothing in this Act shall be construed as providing for or authorizing any Federal agency to divulge or to make known to the Council the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed solely to the provisions of the Internal Revenue Code of 1954, thereof, to be seen or examined by the Council.

(f)(1) Product line or other category information relating to an individual firm or person and otained under section 2(g) or submitted voluntarily pursuant to a Council request and judged by the Council to be confidential information shall be considered as confidential financial information under section 552(b)(4) of title 5 of the United

States Code. Neither the Director nor any member of the Council may permit anyone other than sworn officers, members, and employees of the Council to examine such data.

(2) Periodic reports obtained by the Council under section 2(g) or submitted voluntarily pursuant to a Council request and copies thereof which are retained by the reporting firm or person shall be immune from legal process.

Section 5. The Council shall report to the President and through him to the Congress, on a quarterly basis and not later than thirty days after the close of each calendar quarter, concerning its activities, findings and recommendations with respect to the containment of inflation and the maintenance of a vigorous and prosperous peacetime economy.

Section 6 There is authorized to be appropriated to cary out the provisions of this Act not to exceed --

(1) $6,952,000 for the fiscal year ending September 30, 1979; and

(2) $8,483,000 for the fiscal year ending September 30, 1980.

Section 7. The authority granted by this Act terminates on September 30, 1980.

Section 8. Notwithstanding any other provision of this Act, no payment under this Act may be made except to such extent, or in such amounts, as are provided in advance in appropriation Acts.

PUBLICATIONS OF THE COUNCIL ON WAGE AND PRICE STABILITY
1974-1980

GENERAL STUDIES

Concentrated Industries, Administered Prices, and Inflation: A Survey of Recent Empirical Research. (Ralph E.Beals Report) June 17, 1975. (CWPS-52).

*A Study of Coal Prices. March 17, 1976. Stock No. 041-014-00039-3, $2.20.

Price Behavior During the 1973-75 Recession. May 11, 1976. (CWPS-148).

*A Study of Chlorine, Caustic Soda Prices. August 23, 1976. Stock No. 048-000-00289-7, $1.25.

*Price Increases and Capacity Expansion in the Paper Industry. December 1976. Stock No. 041-001-00269-8, $1.80.

Staff Report: An Evaluation of the Inflation Impact Statement Program. December 7, 1976. (Unnumbered).

CWPS and OMB request comments on Inflation Impact Statement Program. August 4, 1976. (CWPS-175).

The Interstate Commerce Commission's Staff Analysis of the Cost and Benefits of Surface Transport Regulation. January 19, 1977. (CWPS-229).

*Trends in Industrial Plant Construction. March 18, 1977. Stock No. 041-001-00146-8, $1.60.

*Prices and Capacity Expansion in the Cement Industry. March 29, 1977. Stock No. 041-001-00149-2, $2.40.

Unnumbered Memo Concerning a Possible Shortage of Fertilizer. May 16, 1977.

Analysis of Possible Price Increases in Fiberglass Insulation. June 14, 1977. (CWPS-248).

*The Wholesale Price Index: Evaluation and Review. June 27, 1977. Stock No. 052-003-00440-2, $3.00.

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*Those reports marked with an asterisk can only be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The stock number and price follow the title and must be used to order.

GENERAL STUDIES (Continued)

*Lumber Prices Index: Evaluation and Review. June 27, 1977. Stock No. 052-003-00440-2, $3.00.

*A Quarterly Report with a Special Report on Inflation. April 6, 1978. Stock No. 052-003-00440-2, $3.25.

Textiles and Apparel: A Study of the Textile and Apparel Industries. July 1978. Stock No. 031-001-00169-7.

The Council released a report on the success of the first-program year standards on the inflation rate. May 6, 1980. (AIP-182).

Council Report on Inflationary Developments During the First Quarter of 1978. May 22, 1978. (CWPS-273).

Council released a staff report on Petroleum Refinery Price Standards and National Energy Objectives. May 30, 1980.

Council released its Inflation Update detailing wage and price trends during the first year of the anti-inflation program. (CWPS-353).

AGRICULTURE AND FOOD PRODUCTS

Staff Report on Shelf Inventory Repricing. December 6, 1974. (CWPS-14).

*Staff Report on Sugar Prices. May 1975. Stock No. 048-000-00277-3, $1.40.

Report on Family Flour Prices. October 29, 1975. (CWPS-75).

Government Regulation of Milk Markets: A Discussion Paper. December 3, 1975.

Review of Economic Literature on Milk Regulation. (Public Interest Economics Center). December 1975.

Interim Report on Breakfast Cereals and Bakery Products. January 14, 1976. (CWPS-124).

*Report on Prices for Agricultural Machinery and Equipment. May 1976. Stock No. 041-006-00040-4, $1.00.

*Marketing Spreads for Food Products. May 1976 (No stock number).

*The Responsiveness of Wholesale and Retail Food Prices to Changes in the Costs of Food Production and Distribution. November 1976. Stock No.. 041-01-00135-2, $1.35.

GENERAL STUDIES (Continued)

Staff Report on Bread Prices. May 17, 1977. Stock No. 041-001-00149-2, $2.40.

AUTOMOBILES

1976 Automobile Prices. November 11, 1975. (CWPS-103).

Automobile Prices: January 1976, January 12, 1976, (CWPS-122).

Auto Parts Price Behavior: 1971-1976. May 27, 1977. Stock No. 041-001-00150-6, $2.00.

Council Analyzes New Automobile Prices (1978). November 14, 1977. (Unnumbered).

HEALTH

Note: The following Council publications are available only through the Government Printing Office.

The Problem of Rising Health Care Costs. April 26, 1976. Reprinted as Appendix II of The Complex Puzzle of Rising Health Care Costs. December 22, 1976. Stock No. 052-003-00255-8, $1.70.

The Rapid Rise of Hospital Costs. January 17, 1977. Stock No. 052-003-00303-1, $1.70.

A Study of Physicians' Fees. March 1978. Stock No. 041-001-00163-8, $3.25.

LABOR

Cost of Living Escalator Clauses and Inflation. August 1975. (available only through the Government Printing Office) Stock No. 041-006-00039-1, $1.45.

1976 Collective Bargaining Negotiations: A Background Paper. January 1976. (available only through the Government Printing Office) Stock No. 0041-014-00038-5, $2.10.

Union Relative Wage Effects: New Evidence and a Survey of Their Implications for Wage Inflation (Orley Ashenfelter Study). June 2, 1976.

State and Local Government Employee Compensation Data Needs. October 1976 (available only through the Government Printing Office).

GENERAL STUDIES (Continued)

METALS

*Metal Can Prices. June 1975. (No stock number).

*A Study of Steel Prices. July 1975. Stock No. 041-001-00103-4, $1.50.

Untitled paper synthesizing the discussion at the CWPS' December 16, steel symposium. (Marshall, Paul), April 27, 1976. (Unnumbered).

*Aluminum Prices 1974-1975. September 27, 1976. Stock No. 041-010-0030-4, $3.20.

*Catalog of Federal Regulations Affecting the Iron and Steel Industry. December 1976. Stock No. 041-001-0139-5, $4.70.

Report to the President on Prices and Costs in the U.S. Steel Industry. October 1977. Stock No. 052-003-00440-2, $3.00. (Note: This publication is Out Of Print).

PUBLIC SECTOR RELEASES OF THE COUNCIL ON WAGE AND PRICE STABILITY

TRANSPORTATION

CIVIL AERONAUTICS BOARD (CAB)

Testimony on Fare Regulation By CAB. February 25, 1975. (CWPS-27).

National Airlines Proposed "No Frills" Promotional Fares. Dockets 27607 and 27610. March 19, 1975. (CWPS-31).

Trans World Airlines Proposed 1975 Youth, Senior Citizens, and Family Fares. Dockets 27657, 27658, 27661, and 27685. April 1, 1975. (CWPS-35).

World Airways, Inc., Application for a Certificate of Public Convenience and Necessity, Transcontinental Scheduled Source. Docket 27593. April 10, 1975. (CWPS-40).

Supplemental Notice of Proposed Rulemaking, One Stop Inclusive Tour Charters. Docket 27135. May 16, 1975. (CWPS-45).

Supplemental Notice of Proposed Rulemaking, Special Event Charters. Docket 26810. May 16, 1975. (Unnumbered).

American Airlines, Inc., 6 Percent Domestic Passenger Fare Increase. Docket 27947. May 16, 1975. (CWPS-47).

Trans World Airlines 5 percent Domestic Passenger Fare Increase. May 16, 1975. (CWPS-47).

Joint Petition for Emergency Procedures, Council on Wage and Price Stability, Department of Transportation, and Federal Energy Administration. Docket 28191. August 19, 1975. (Unnumbered).

Braniff Airways, Inc., Continental Airways, Inc., Frontier Airlines Inc., and Trans World Airlines Inc., Domestic Passenger Fare Increases. Docket 28235. August 27, 1975. (CWPS-76).

United Air Lines, Inc., Passenger Fare Fuel Surcharge. Docket 28235. August 27, 1975. (CWPS-76).

Comments Before CAB on United Airlines Proposed Passenger Fare Fuel Surcharges. September 8, 1975. (CWPS-79).

Civil Aeronautics Board Proposed Experimental Program to Test Consequences of Deregulation. Docket 28048. September 15, 1975. (CWPS-80).

Comments to CAB on Experimental Deregulation Program. September 19, 1975. (Unnumbered).

CIVIL AERONAUTICS BOARD (CAB) (Continued)

National Airlines Proposed "No Frills" Promotional Fare, Supplemental Comments. Dockets 27607 and 27610. September 22, 1975. (CWPS-82).

Domestic Load Factor Standards. Docket 27417. December 15, 1975. (CWPS-116).

Comments to CAB on Load Factor Standards. December 19, 1975. (Unnumbered).

Notice of Proposed Rulemaking, Advance Booking Charters. Docket 28852. March 19, 1976. (Unnumbered).

Notice of Proposed Rulemaking, Advance Booking Charters, Supplemental Comments. Docket 28852. April 12, 1976. (Unnumbered).

Application of Eastern Air Lines, Inc., for Discussion Authority. Docket 28439. October 7, 1976. (CWPS-196).

Application of Midway Airlines, Inc., for a Certificate of Public Convenience and Necessity. Docket 29914. October 22, 1976. (CWPS-202).

Application of Pan American World Airways, Inc., for a Certificate of Public Convenience and Necessity. Docket 29952. November 15, 1976. (CWPS-209).

Application of Rocky Mountain Airways, Inc., for an Exemption. Docket 30058. December 13, 1976. (CWPS-218).

Extending CAB Certification to Commuter Air Carriers is Opposed by Council. Docket 30310. June 30, 1977. (CWPS-251).

CAB Passenger Fare Policies. September 22, 1977. (Unnumbered).

CONGRESSIONAL TESTIMONIES AND OTHER RELEASES

Statement Before Consumer Subcommittee on Motor Vehicle Safety Program. March 20, 1975. (CWPS-32).

Statement Before the Air Transport Association on Reform of Airlines Regulation. November 7, 1975. (CWPS-101).

Testimony Before House Subcommittee on Aviation. May 12, 1976. (CWPS-151).

Testimony Before Subcommittee on Aviation and Transportation R&D, House Committee on Science and Technology. May 20, 1976. (CWPS-155).

CONGRESSIONAL TESTIMONIES (Continued)

Aviation Subcommittee of the Senate Commerce Committee. Council Testimony on Airline Regulatory Reform. March 22, 1977. (CWPS-236).

Statement Before the CAB on Joint Aircraft Purchasing. September 5, 1977. (Unnumbered).

Statement Before Senate Subcommittee on Aviation. March 22, 1977. (Unnumbered).

U.S. COAST GUARD (USCG)

Tank Vessels Carrying Oil in Domestic Trade. Docket CGD-201. December 4, 1975. (CWPS-111).

Tank Vessels Segregated Ballast Retrofit; Foreign and Domestic. Docket CGD-76-075. June 30, 1976. (CWPS-169).

Council Filing to Reduce Marine Pollution before the U.S. Coast Guard. November 15, 1977. (CWPS-258).

FEDERAL AVIATION ADMINISTRATION (FAA)

Aircraft Noise Retrofit Requirements. Docket AGC-24. April 7, 1975. (CWPS-38).

Aircraft Noise Retrofit Requirements. Docket AGC-24. Further Comments to EPA on April 7th Filing. May 9, 1975. (CWPS-43).

Noise Requirements Submitted to FAA by EPA on Civil Supersonic Airlines. Docket 10494. August 14, 1975. (CWPS-74).

Use of Access Road to Dulles International Airport. 14 CFR Section 159.35. November 4, 1976. (CWPS-207).

Proposed Regulations on Airport Noise Regulatory Process. Docket 16279. April 15, 1977. (CWPS-240).

Proposed Regulations to extend security regulations to small airlines and airports. February 11, 1980. (CWPS-359).

DEPARTMENT OF DEFENSE

DOD on Environmental Considerations. April 29, 1977. (Unnumbered).

INTERSTATE COMMERCE COMMISSION (ICC)

In the Matter of Commission Policy Regarding Corporate Parent-Subsidiary Transportation. Docket No. MC-C-8506. January 13, 1975. (CWPS-20).

INTERSTATE COMMERCE COMMISSION (ICC) (Continued)

Findings of Market Dominance. Ex Parte No. 320. April 15, 1976. (CWPS-141).

Interstate Transportation of Passengers by Motor Common Carriers. Ex Parte No. MC-95. June 4, 1976. (Unnumbered).

Comments on ICC Proposed Bus Service Standards. June 24, 1976. (CWPS-166).

Findings of Market Dominance. Ex Parte No. 320. September 13, 1975. (CWPS-182).

Petition of Herman Brothers, Inc. Ex Parte No. MC-103. September 29, 1976. (CWPS-193).

Special Procedures for Making Findings of Market Dominance. Ex Parte No. 320. October 29, 1976. (CWPS-205).

Separate Rates for Distinct Rail Services. Ex Parte No. 331. November 24, 1976. (CWPS-212).

Practices of Motor Common Carriers of Household Goods. 49 CFR Part 1056. December 1, 1976. (CWPS-213).

Piggyback Service Regulations. Ex Parte No. 230 (Sub.No. 4). January 6, 1977. (CWPS-221).

The Interstate Commerce Commission's Staff Analysis of the Costs and Benefits of Surface Transportation Regulation. January 19, 1977. (CWPS-229).

Agricultural Cooperative Transportation Exemption (Modification of Regulations). Ex Parte No. MC-75 (Sub.-No.1). February 15, 1977. (CWPS-231).

Increased Bus Passenger Fares and Express Rates Nationwide. I&S Docket No. M-29412. May 3, 1977. (CWPS-241).

Terminal Areas for Express Shipments by Bus. Ex Parte No. MC-37 (Sub.-No. 29). May 24, 1977. (CWPS-243).

The Value of Motor Carrier Operating Authorities. June 9, 1977. (CWPS-247).

Procedures in Moter Carrier Application Proceedings Where For-Hire Carriage is Substituted for Proprietary Operating. Ex Part No. MC-103. August 3, 1977. (CWPS-254).

Council Comments on General Freight Rate Increase. October 31, 1977. (CWPS-257).

INTERSTATE COMMERCE COMMISSION (ICC) (Continued)

Council Comments to ICC on Rail Rate Increase. December 20, 1977. (Unnumbered).

Council Opposes Higher Bus Rates. December 28, 1977. (CWPS-261).

Council Give Views on ICC Trucking Entry Proceedings. January 23,1978. (CWPS-263).

Petition Before ICC to Raise Bus Fares. February 10, 1977. (Unnumbered).

Council Comments to ICC on Coal Rail Rates. March 6, 1978. (Unnumbered).

Council Urges End to Inflationary Antitrust Exemption in Transportation Industry. April 6, 1978. (CWPS-267).

Council Opposes Higher Bus Rates. April 11, 1978. (CWPS-269).

Council Comments to ICC Concerning Criteria for Evaluating Freight Increases of Motor Carriers Rate Conference, Inc. Docket No. M-29772. July 5, 1978. (CWPS-280).

Council Urges ICC to Disapprove Collective Ratemaking Agreements. Ex Parte No. 297 (Sub.-No. 4). Agreement Nos. 46, 48, and 49. September 11, 1978. (CWPS-286).

Southern Motor Carriers Rate Conference, Inc. Brief of the Council on Wage and Price Stability before the ICC. Docket No. M-29772. September 15, 1978. (CWPS-287).

Council Filing Support to the ICC on Entry of Private Truck Carriers into the For-Hire Trucking Market. Ex Parte No. MC-118. September 19, 1978. (CWPS-288).

Downward Fare Flexibility in the Intercity Passenger Market and Flexibility in Charter Prices. October 16, 1978. (CWPS-290).

"Rule of Eight" in Contract Carrier Application. Ex Parte No. MC-119. October 18, 1978. (CWPS-292).

Petition to Relax Entry of Transportation of Small Shipments weighing 500 Pounds or Less. Ex Parte No. Mc-120. November 6, 1978. (CWPS-297).

Increased Freight Rates and Changes, Nationwide 8 Percent. Ex Parte No. 357. December 2, 1978. (CWPS-300).

Petition for Modification of Rules in Motor Carrier Revenue Proceedings before the ICC. January 26, 1979. (CWPS-303).

Council filed comments before the ICC supporting their proposal to relax standards for entry into the trucking and intercity bus industries. Ex Parte No. 121. February 5, 1979. (CWPS-306).

Council filed comments on a Trailways petition on upward flexibility in the intercity bus passenger market. February 19, 1979. (CWPS-308).

Council filed comments before the ICC urging it to reject rate increases exceeding the anti-inflation standards. March 21, 1979. (CWPS-314).

Council filed comments before the ICC discouraging their rate increase proposals based on increases in individual cost components. Ex Parte No. 311. May 21, 1979. (CWPS-318).

Council sent letter to ICC opposing a rate increase sought by the Steel Carriers Tariff Association. May 22, 1979. (CWPS-319).

Council filed comments before the ICC supporting a proposal of Trailways, Inc. granting them temporary authority for regulation-route passenger operation. Ex Parte No. MC-126. June 23, 1979. (CWPS-323).

Railroad, Truck and Bus Industry Rate Increase Proposals. Before ICC. September 12, 1979. (CWPS-336).

ICC Proposes Rules to Permit Greater Fare Flexibility for the Bus Industry. September 20, 1979. (CWPS-339).

Council comments to ICC on its proposed rulemaking on fare flexibility in the bus industry. October 22, 1979. (CWPS-345).

Council comments to ICC on propsed revenue need standards in the trucking industry. November 20, 1979. (CWPS-351).

Council comments to ICC on a petition to ease entry into the intercity bus industry. January 7, 1980. (CWPS-354).

Council comments to ICC on entry of a second rail carrier into the Powder River Area of Wyoming. January 21, 1980. (CWPS-355).

Council comments to ICC on incentive per diem program for boxcars and gondolas. February 11, 1980. (CWPS-358).

Council comments to ICC on proposed standards to establish the revenue needs of regular route motor carriers of general freight. February 19, 1980. (CWPS-361).

Council comments to ICC on incentive per diem program for railroad boxcars and gondolas. March 10, 1980. (CWPS-370).

INTERSTATE COMMERCE COMMISSION (ICC) (Continued)

Council comments to ICC supporting a relaxation of the market dominance standard for rail rates. April 2, 1980. (CWPS-374).

Council comments to ICC supporting the concept of seasonal and regional rate flexibility for railroads. April 22, 1980. (CWPS-375).

Council comments to ICC supporting the permanent elimination of circuitous route requirements. April 24, 1980. (CWPS-377).

NATIONAL RAILROAD PASSENGER CORPORATION (Amtrak)

Proposed Criteria and Procedures for Making Route and Service Decisions. November 21, 1975. (CWPS-106).

Testimony Before Subcommittee on Transportation and Commerce, House Interstate and Foreign Commerce Committee re Amtrak. February 4, 1976. (Unnumbered).

DEPARTMENT OF TRANSPORTATION (DOT)

Highway Safety Programs Standards, Occupant Crash Protection. 49 CFR, Part 571 and 23 CFR Part 1204. August 3, 1976. (CWPS-174).

Financing of Aircraft Noise Reduction Requirements. December 1, 1976. (CWPS-214).

RARG Report to DOT on Proposed Regulations on Nondiscrimination on the Basis of Handicap. October 23, 1978. (CWPS-293).

Advance Notice of Proposed DOT Rulemaking, Federal Highway Administration, Federal Motor Carrier Safety Regulations, Hours of Service. BMCS Docket MC-70-1; Notice Number 78-11. November 22, 1978. (CWPS-298).

HEALTH, SAFETY, AND THE ENVIRONMENT

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

Council sent a letter to the Board outlining how to achieve cost-effective guidelines for making buildings accessible to the handicapped. April 7, 1980. (Unnumbered).

Council comments to the Board on its proposed guidelines on accessibility for the handicapped to Federal buildings. October 22, 1980. (CWPS-388).

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Transportation Equipment Noise Emission for Medium and Heavy Duty Trucks. Docket PNAC 74-1. May 9, 1975. (CWPS-42).

ENVIRONMENTAL PROTECTION AGENCY (EPA) (Continued)

Transportation Equipment Noise Emission for Medium and Heavy Duty Trucks, Additional Comments. Docket No. PNAC 74-1. June 8, 1975. (CWPS-64).

Noise Abatement Regulation Submitted by EPA to the FAA. Notice 75-36. Docket 16970. November 28, 1975. (CWPS-109).

Emission Regulations for New Motorcycles. Docket AW-466. December 10, 1975. (CWPS-112).

Proposed Evaporative Emission Regulations for Light Duty Vehicles and Trucks. 40 CFR Part 86. March 18, 1976. (CWPS-134).

Proposed Revised Light Duty Truck Regulations for 1978 and Later Model Year Vehicles. 40 CFR Part 86. April 12, 1976. (CWPS-140).

Effluent Guidelines and Standards for Existing and New Sources in the Iron and Steel Manufacturing Point Source Category. 40 CFR 420. June 24, 1976. (CWPS-165).

Regulations Governing State Underground Injection Control Programs. 40 CFR 146. October 27, 1976. (CWPS-204).

Air Quality Standards: Interpretative Rule. March 7, 1977. (CWPS-233).

Standards of Performance for New Stationary Sources, Grain Elevators. 40 CFR Part 60. March 30, 1977. (CWPS-239).

Toxic Substances Control. 40 CFR Part 710. May 13, 1977. (CWPS-242).

Council analyzes alternative approaches to meeting EPA noise standards for motorcycles. June 22, 1978. (CWPS-278).

Council filed comments on EPA pretreatment standards for electroplating operations. August 31, 1978. (CWPS-283)

Council filed comments on proposed drinking water regulations. September 5, 1978. (CWPS-285).

RARG Report on EPA proposed revisions to the National Ambient Air Quality Standard for Photochemical Oxidants. October 16, 1978. (CWPS-291).

Council filed comments on proposed best conventional pollutant control technology. December 11, 1978. (CWPS-301).

Council submitted a RARG Report on proposed revisions to new source performance standards for electric utility steam generating units. January 16, 1979. (CWPS-302).

ENVIRONMENTAL PROTECTION AGENCY (EPA) (Continued)

Council filed comments on Local or Regional Coal Amendment to the Clean Air Act. March 1, 1979. (CWPS-309).

Council filed comments on behalf of RARG on proposed regulations concerning hazardous waste. March 19, 1979. (CWPS-312).

Council filed comments concerning proposed policy on the "bubble" concept in meeting air quality goals. March 23, 1979. (Unnumbered).

EPA Premanufacture Notification Requirement. March 23, 1979. (Unnumbered).

Council filed comments concerning proposed standards for particulate emissions from diesel automobiles and light-duty trucks. April 20, 1979. (CWPS-316).

Council filed comments concerning proposed regulations on water quality criteria for toxic substances under the Clean Water Act. FRL 1062-5. June 14, 1979. (CWPS-325).

EPA Proposes Heavy-Duty Truck Emission Standards. June 29, 1979. (CWPS-326).

EPA Proposes Railroad Noise Standards. July 2, 1979. (CWPS-327).

Staff Report on Economic Incentives in the Control of Air Pollution. Comparison of Alternative Systems for Allocating Air Quality. August 30, 1979. (CWPS-332).

EPA Proposes Underground Injection Control Program. September 12, 1979. (CWPS-337).

Council filed comments on proposed regulations concerning emission standards for light-duty trucks. October 11, 1979. (CWPS-342).

Council filed comments urging EPA to consider improvements in its joint Federal-state program for determining water quality standards. October 22, 1979. (CWPS-344).

EPA Water Quality Criteria. December 31, 1979. (Unnumbered).

Council sent letter to EPA on proposed effluent standards for textile mills. February 15, 1980. (Unnumbered).

EPA Proposes BAT Toxic Effluent Standards for Timber Mills. February 15, 1980. (Unnumbered).

ENVIRONMENTAL PROTECTION AGENCY (EPA) (Continued)

Council filed comments on behalf of RARG on proposed EPA policies identifying, assessing, and regulating airborne carcinogens. February 21, 1980. (CWPS-363).

Council filed comments on behalf of RARG to EPA on its proposed effluent standards for the leather tanning industry. February 25, 1980. (CWPS-364).

Council sent letter to EPA on its proposed effluent standards for the ink formulating industry. March 31, 1980. (Unnumbered).

Council sent a letter and RARG report on Effluent Limitation Guidelines for the Leather Tanning and Finishing Industry (CWPS-364) to EPA as part of the rulemaking establishng effluent standards for the petroleum refining industry. April 19, 1980. (Unnumbered).

The Council submitted comments to EPA opposing the listing of ammonia as a toxic water pollutant. June 3, 1980. (CWPS-380).

The Council submitted comments on behalf of RARG to EPA to consider modifications in its proposed legislation to protect visibility in national parks and wilderness areas. August 25, 1980. (CWPS-385).

Council Submits Staff Report to EPA on Methodological Issues in Setting Effluent Standards for Conventional Pollutants. September 24, 1980. (Unnumbered).

Letter to EPA on Effluent Limitation Guidelines or Inorganic Chemical Plants. September 22, 1980. (Unnumbered).

The Council sent a letter to EPA Administrator, Douglas Costle, on EPA's proposed emission standards for benzene emissions from maleic anhydride plants. November 6, 1980. (CWPS-390).

Council Submits Filing to EPA Hazardous Waste Disposal. November 7, 1980. (CWPS-391).

FOOD AND DRUG ADMINISTRATION (FDA)

Proposed Exemption of Individually Wrapped Pieces of Confectionary from Required Net Weight Statements. May 19, 1975. (CWPS-46).

Actions Regarding Proposed Regulations Affecting Manufacture, Marketing, Testing and Pricing of Prescription Drugs. August 4, 1975. (CWPS-71).

Prescription Drug Proposals. Docket No. 76 N0050, 0051, 0052, and 0054. September 26, 1975. (Unnumbered).

FOOD AND DRUG ADMINISTRATION (FDA) (Continued)

National Shellfish Safety Program. Docket No. 75 N0075. October 17, 1975. (CWPS-92).

Statement Before the Subcommittees on Fisheries and Wildlife and on Oceanography on FDA Proposed Shellfish Safety Program. November 7, 1975. (CWPS-102).

Vinyl Chloride Polymers in Contact with Food. Docket No. 75 N0190. December 19, 1975. (CWPS-119).

Whole Blood and Red Blood Cells. Docket No. 75 N0136. January 13, 1976. (CWPS-123).

Drained Weights for Processed Fruits and Vegetables. Docket No. 75 P0166. May 12, 1976. (CWPS-152).

Infant and Junior Foods: Establishment of Common or Usual Name. 21 CFR Part 102. Infant Foods: Percentage Declaration of Ingredients. 21 CFR Part 125. October 13, 1976. (CWPS-198).

Proposed changes on Labeling of Estrogens for General Use. 21 CFR Part 310. November 3, 1976. (CWPS-206).

Council filed comments to FDA concerning over-the-counter drugs. Docket No. 76 N0052. January 7, 1977. (CWPS-223).

Council filed comments to FDA concerning proposed saccharin Action. Docket No. 77 N0086. June 15, 1977. (CWPS-249).

Council filed comments on behalf of RARG on proposed rules on labeling requirements for prescription drugs. November 6, 1979. (CWPS-348).

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)

Occupational Noise Exposure Regulation. Docket OSH-11. March 21, 1975. (CWPS-33).

Occupational Noise Exposure Standard for General Industry. Testimony. June 24, 1975. (CWPS-55).

Council filed comments concerning exposure to Coke Oven Emissions. Docket No. H-017A. Testimony. May 11,1976. (CWPS-149).

Council filed comments concerning occupational safety and health standards for agriculture. 29 CFR Part 1928. August 6, 1976. (CWPS-176).

Exposure to Inorganic Arsenic. Docket OSH-37. Testimony before OSHA public meeting. September 14, 1976. (CWPS-183).

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) (Continued)

Occupational Noise Exposure. Docket OSH-11A. Testimony before OSHA public meeting. September 22,1976. (CWPS-187).

Commercial Diving Standards. Docket H-102. January 18, 1977. (CWPS-226).

OSHA Proposes Standards for Lead. March 15, 1977. (CWPS-234).

Proposed Standard for Exposure to Sulfur Dioxide. Docket No. H-039. April 1, 1977. (CWPS-238).

Proposed Standard for Exposure to Cotton Dust. Docket No. H-062. June 30, 1977. (CWPS-250)

Letter to OSHA on Benzene Standard. September 12, 1977. (Unnumbered).

Council submitted to OSHA a RARG Report on its analysis of its proposal to reduce worker exposure to Acrylonitrile. May 22, 1978. (CWPS-272).

RARG report on proposal for the identification, classification and regulation of toxic substances posing a potential occupation carcinogenic risk. October 25, 1978. (CWPS-296).

Council sent letter to the Hon. Eula Bringham on OSHA proposal to amend electrical safety standards. July 8, 1980. (Unnumbered).

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Procedures, Competitive Coal Leasing. 43 CFR Part 3520. April 20, 1976. (CWPS-142)

RARG Report on Proposed Surface Coal Mining and Reclamation Regulatory Program. November 27, 1978. (CWPS-299).

Council filed a memorandum with DOI reviewing its proposed regulations for a Federal Coal Management Program. May 18, 1979. May 20, 1979. (CWPS-320).

Testimony on Coal Management Before the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs. June 22, 1979. (Unnumbered).

Council sent letter to Bureau of Land Management (BLM) concerning its proposed target for Federal coal leasing in the Green-River area. November 8, 1979. (CWPS-349).

DEPARTMENT OF THE INTERIOR (DOI) (Continued)

Council sent letter to Director of the Office of Surface Mining (OSM) responding to request for comments concerning a petition to initiate a rulemaking repealing certain sections of OSM rules governing the discharge of sediment by coal mines. November 19, 1979. (CWPS-352).

Council sent letter to DOI expressing concern that no economic analysis was done on its regulations to ensure nondiscrimination on the basis of handicap. June 9, 1980. (Unnumbered).

Letter to DOI on Outer Continental Shelf (Atlantic) Lease Sales. November 3, 1980. (Unnumbered).

TESTIMONIES

Remarks Before Conference Board re Environmental Regulations: At What Cost? February 5, 1976. (CWPS-127).

CONSUMER AFFAIRS

CONSUMER PRODUCE SAFETY COMMISSION (CPSC)

Proposed Lawn Mower Safety Standard. October 3, 1975. (CWPS-91).

Architectural Glazing Materials. March 15,1976. (CWPS-133).

Proposed Matchbook Standards. June 1, 1976. (CWPS-157).

Commission Policy on Establishing Priorities. Testimony before Product Safety Advisory Council Public Hearing. August 17, 1976. (CWPS-178).

Proposed Lawn Mower Safety Standard. 16 CFR Part 1205. August 15,1977. (CWPS-255).

FEDERAL TRADE COMMISSION (FTC)

Council Comments to FTC on Robinson-Patman Act of Backhaul Allowances. April 1, 1975. (CWPS-36).

Proposed Trade Regulations Regarding Advertising of Opthamalic Goods and Services . May 7, 1976. (CWPS-147).

Care Labeling of Textile Products and Leather Wearing Apparel. September 24, 1976. (CWPS-191).

Trade Regulations Governing the Sale of Used Motor Vehicles. October 21, 1976. (CWPS-200).

FTC Charges the Kroger Corporation with Deceptive Advertising Practices. August 29, 1979. (CWPS-331).

FEDERAL TRADE COMMISSION (FTC) (Continued)

FTC Proposed Rulemaking Concerning Medical Participation in Certain Open-Panel Medical Prepayment Plans. May 19, 1980. (Unnumbered).

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA)

Motor Vehicle Safety Standard 121. Air Brake Systems. Docket 74-10, Notice 8. December 26, 1974. (CWPS-18).

Motor Vehicle Safety Standard 105-75, Hydraulic Brake Systems. Docket 70-27. February 11, 1975. (CWPS-25).

Motor Vehicle Safety Standard 208, Occupant Crash Protection. Testimony before NHTSA public meeting. May 23, 1975. (CWPS-49).

Motor Vehicle Safety Standard 121, Air Brake Systems. Testimony before NHTSA public meeting. October 30, 1975. (CWPS-94).

Comments on NHTSA's Proposed Regulations on Cost Information Reporting. November 26, 1975. (Unnumbered).

Passenger Automobile Average Fuel Economy Standards. Docket No. FE-76-2. January 7, 1977. (CWPS-224).

Occupant Crash Protection Standard for Future Passenger Cars. FMVSS 208. May 31, 1977. (CWPS-244).

Council Questions NHTSA's Fuel Efficiency Standards for Small Trucks. January 31,1978. (CWPS-264).

Council sent letter to NHTSA recommending they reopen the proceedings establishing a 5.0 mph bumper standard. January 25, 1980. (CWPS-356).

Council filed comments on behalf of RARG on proposed 1983-85 fuel economy standards for light trucks. March 31, 1980. (CWPS-373).

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE (HEW)
(Currently the Department of Health and Human Services (HSS))

Nondiscrimination on the Basis of Handicap. September 14, 1976. (CWPS-184).

Interim Regulations on the Acquisition, Alteration, and Renovation of Facilities for Multipurpose Senior Centers. November 9, 1976. (CWPS-208).

HEW Proposes Revisions to the Federal Interagency Day Care Requirements. September 12, 1979. (CWPS-340).

HHS Skilled Nursing Facilities and Intermediate Care Units. September 12, 1980. (Unnumbered).

DEPARTMENT OF EDUCATION (DOEd)

Council submitted RARG report to DOEd on its proposed Title VI language minority rules for bilingual education. October 21,1980. (CWPS-387).

DEPARTMENT OF AGRICULTURE (USDA)

Council Studies Economic Effects of Programs Dealing with Marketing of Dairy Products. October 9, 1975. (CWPS-89).

Price Support Program for Milk (1976-77 Marketing Year). February 4, 1976. (CWPS-128).

Price Support Program for Milk (1977-78 Marketing Year). March 4, 1977. (CWPS-232).

USDA Forest Management Program. September 21, 1977. (Unnumbered).

USDA Proposed Watershed Protection Program. February 19, 1980. (CWPS-362).

USDA Proposal on Reconstituted Milk. February 19, 1980. (CWPS-366).

USDA Proposes Partial Payments for Milk Marketing Orders. June 30, 1980. (CWPS-381).

CONGRESSIONAL TESTIMONIES AND OTHER RELEASES

Remarks At the National Conference on Care Labeling. July 20, 1976. (Unnumbered).

Testimony on Forest Management Before the Subcommittee on Environment, Soil Conservation, and Forestry and Senate Committee on Agriculture, Nutrition and Forestry. June 22, 1979. (Unnumbered).

BANKING AND TRADE

DEPARTMENT OF COMMERCE

Letter sent to the Federal Maritime Commission (Re: Docket No. 80-54) on Time/Volume Rate Contracts. October 27, 1980. (CWPS-389).

Letter to the Maritime Administration. August 1, 1980. (Unnumbered).

FEDERAL RESERVE BOARD AND FEDERAL DEPOSIT AND INSURANCE CORPORATION (FDIC)

Interest on Deposits: Pooling of Funds. Docket R-0024. May 10, 1976. (CWPS-150).

Interest on Deposits: Proposed Amendment to Permit Preauthorized Withdrawals from Savings Deposits to Cover Insufficient Funds Items. June 14, 1976. (CWPS-163).

Council Files Comments to Federal Reserve Board. March 20, 1978. (CWPS-266).

FHLBB Proposal to Allow State-wide Bank Branching. March 16, 1979. (CWPS-313).

Council files comments before Board of Governors of the Federal Reserve Board concerning the Creation of New Deposit Categories. Docket No. 4-0215. May 17, 1979. (CWPS-317).

COMMODITY FUTURES TRADING COMMISSION (CFTC)

Commodity Options Transactions Proposed Amendment of Interim Regulations. June 6, 1977. (CWPS-246).

Application for Designation of the Commodity Exchange, Inc. as a Contract Market for Trading in Zinc. July 28, 1977. (CWPS-253).

Council Opposes Ban on Commodity Options Trading. March 7, 1978. (CWPS-265).

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Council Comments on HUD Mobile Home Regulations. July 25, 1975. (Unnumbered).

New Community Development Corporation. September 23, 1976. (CWPS-188).

Report on Housing Costs. May 10, 1979. (Unnumbered).

Council Submitted a RARG Report to HUD on One- and Two-Family Dwellings. November 19, 1980. (CWPS-392).

INTERNATIONAL TRADE COMMISSION (ITC)

Importation of Passenger Automobiles from Europe, Canada, and Japan. Investigation No. AA 1921 INO-2. September 5, 1975. (CWPS-78).

Petition of American Footwear Industries Association, et al. Docket TA-201-7. December 8, 1975. (CWPS-113).

INTERNATIONAL TRADE COMMISSION (ITC) (Continued)

Petition of the American Footwear Industries Association, et al. Docket No. TA-201-18. December 7, 1976. (CWPS-217).

Petition Before ITC for Import Restrictions on Sugar. Investigation No. TA-201-16. December 20, 1976. (CWPS-220).

Television Receivers, Color and Monochrome, Assembled or Not Assembled, Finished or Not Finished and Subassemblies Thereof. Investigation No. TA-201-19. January 18, 1977. (CWPS-227).

Conditions of Competition in U.S. Markets Between Domestic and Foreign Live Cattle and Cattle Meat Fit for Human Consumption. Investigation No. TA-201-25. July 12, 1977. (CWPS-252).

Unalloyed Unwrought Zinc. Investigation No. TA-201-31. April 10, 1978. (CWPS-268).

Council Urged ITC not to Accept the Petition of Domestic Copper Producers seeking Import Quotas for Foreign Producers. June 29, 1978. (CWPS-279).

Petition Before ITC Regarding Carbon Steel Plate from Poland. June 4, 1979. (CWPS-321).

Council submitted comments to the ITC opposing a finding of steel dumping by European Economic Community producers. April 24, 1980. (CWPS-376).

INTERAGENCY WORKING GROUP ON A HAZARDOUS SUBSTANCES EXPORT POLICY

Council submitted Letter on Working Group's Fifth Draft Report. September 14, 1980. (Unnumbered).

SECURITIES AND EXCHANGE COMMISSION (SEC)

Eligible Securities: Dissemination of Quotations. File No. S7-648. October 6, 1976. (CWPS-194).

DEPOSITORY INSTITUTIONS DEREGULATION COMMITTEE (DIDC)

The Council sent comments to the Committee asking it to reconsider its proposed regulation on premiums, finders fees, and the payment of interest in merchandise. July 17, 1980. (CWPS-383).

CONGRESSIONAL TESTIMONIES

Testimony Before Subcommittee on Commerce Consumer and Monetary Affairs. House Committee on Government Operations. September 23, 1975. (CWPS-83).

CONGRESSIONAL TESTIMONIES (Continued)

Testimony Before the Subcommittee on Anti-trust and Monopoly. December 11, 1975. (CWPS-115).

Testimony Before Senate Committee on Banking, Housing, and Urban Affairs. December 14, 1976. (Unnumbered).

Testimony Before Subcommittee on Economic Stabilization of House Banking Committee. September 16, 1976. (CWPS-185).

Testimony Before Subcommittee on Economic Stabilization, House Committee on Banking, Currency, and Housing. December 17, 1976. (CWPS-219).

COMMUNICATIONS

FEDERAL COMMUNICATION COMMISSION (FCC)

AT&T 1975 Interstate Rate Increase. Transmittal No. 12231. Petition for Suspension and Investigation. January 23, 1975. (CWPS-22).

AT&T Charges for Interstate Telephone Service. Transmittal No. 12241. Motion for a Commission Order to Expand Hearing. March 17, 1975. (CWPS-30).

UHF Television Receiver Noise Figures. Docket 21010 RM-2577. March 16, 1977. (CWPS-235).

Council comments to FCC on UHF-TV Noise. May 10, 1978. (Unnumbered).

FCC Proposes to Eliminate the Distant Signal Carriage and the Syndicated Program Exclusivity Rules Applying to Cable Television. September 5, 1979. (CWPS-341).

Council comments to FCC on its proposal to reduce regulatory requirements for nondominant communications common carriers. February 14, 1980. (CWPS-360).

Council comments to FCC on proposed rule to eliminate programming, commercialization, and ascertainment requirements on commercial radio stations. March 25, 1980. (CWPS-372).

Council comments to FCC on the allocation of spectrum and regulaltion of cellular mobile communication technology. May 1, 1980. (CWPS-379).

FCC Multipoint Distribution Service. July 29, 1980. (Unnumbered).

FEDERAL COMMUNICATION COMMISSION (FCC) (Continued)

Council comments to FCC on its proposal to modify terms that interstate carriers compensate local telephone companies for use of local exchange facilities for original and terminating interstate calls. August 18, 1980. (CWPS-384).

U.S. POSTAL RATE COMMISSION

Regulations Implementing Private Express Statutes. Docket No. R76-4. January 16, 1976. (CWPS-125).

Postal Service Proposes to Permit the Private Conveyance of "Extremely Urgent Letters". August 10, 1979. (CWPS-330).

ENERGY

FEDERAL ENERGY ADMINISTRATION (FEA)

Mandatory Petroleum Price Regulations: Retail Gasoline Markup. March 21, 1975. (CWPS-34).

Coal Utilization Regulations. March 21, 1975. (CWPS-34).

Council sent Letter to FEA on Decontrol of "old oil". June 16, 1975. (Unnumbered).

Council sent Letter and Report to FEA on Inflation Impact Analysis of the Coal Conversion Program. June 18, 1975. (CWPS-54).

Comments to FEA on Utility Fuel Cost Pass-throughs. September 2, 1975. (CWPS-77).

Testimony Before FEA on Proposed Target Standards for Increasing Energy Efficiency of Home Appliances. June 9, 1976. (Unnumbered).

Council criticizes FEA's Proposed Guidelines Governing State Energy Conservation Plans. July 9, 1976. (CWPS-170).

DEPARTMENT OF ENERGY (DOE)

DOE Rules on Pricing of Imported Liquified Natural Gas. December 22, 1977. (CWPS-259).

Council comments to DOE/FERC on Natural Gas Curtailment Compensation. January 31, 1978. (Unnumbered).

Council files before DOE, Economic Regulatory Administration concerning Liquified Natual Gas (LNG). May 8, 1978. (CWPS-271).

DOE Rules on LNG Importation by Tapco. July 18, 1978. (Unnumbered).

DEPARTMENT OF ENERGY (DOE) (Continued)

DOE Proposed Amendments to the Entitlements Program to Reduce the Level of Benefits Received Under the Small Refiner Bias. February 3, 1979. (CWPS-307).

The Council Submitted to DOE the RARG Report on the Proposed Conversion of Electric Powerplants and Major Fuel Burning Installations to Coal. March 12, 1979. (CWPS-311).

DOE Proposes a Residential Conservation Service Program. September 4, 1979. (CWPS-333).

Council comments concerning the case of Union Oil Company of California, Case No. DEE-5748 and its application for an exception to DOE regulations because it would spread higher crude-oil costs to other refiners. October 26, 1979. (CWPS-346).

Council comments on behalf of RARG on DOE interim rules on the 1978 Powerplant and Industrial Fuel Use Act for Newly Constructed and Existing Facilities. October 31, 1979. (CWPS-347).

Council comments on DOE proposed new procedure for oil and gas lease sales on the Outer Continental Shelf. November 15, 1979. (CWPS-350).

Council sent letter to DOE requesting the comment period on proposed gasoline pricing rules for resellers and reseller-retailers be extended. February 1, 1980. (CWPS-357).

Council filed comments before DOE on a proposed net profit share leasing system for outer continental shelf oil and gas tracts. March 7, 1980. (CWPS-369).

Council sent letter to DOE recommending some changes in the department's procedures for implementing Executive Order 12044. April 28, 1980. (Unnumbered).

Council submitted RARG report to DOE on proposed energy efficiency standards for new buildings. May 1, 1980. (CWPS-378).

DOE Proposes Joint-Bidder Regulations for OCS Leases. July 25, 1980. (Unnumbered).

Council submitted RARG report to DOE on proposed minimum energy-efficiency standards for consumer appliances. September 16, 1980. (CWPS-386).

Council sent letter and staff analysis to DOE on its proposed rules on new bidding systems and procedures for leasing Federal coal. September 18, 1980. (Unnumbered).

DEPARTMENT OF ENERGY (DOE) (Continued)

DOE Proposes Work Commitments Provision in OCS Leases. September 19, 1980. (Unnumbered).

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

Council comments on FERC proposal concerning Leaded and Unleaded Gasoline. December 23, 1977. (CWPS-260).

FERC Issues Study Proposal for Implementing Incremental Pricing Provisions of the Natural Gas Policy Act. September 5, 1979. (CWPS-335).

Council comments supporting FERC's proposal to encourage production of natural gas from low-permeability formations. October 16, 1979. (CWPS-343).

Council sent letter to FERC on its proposal for implementing Phase II of incremental pricing for natural gas. March 7, 1980. (CWPS-368).

FEDERAL POWER COMMISSION (FPC)

Fuel Adjustment Provisions in FPC Rate Schedules. Docket RM 75-29. September 3, 1975. (Unnumbered).

Fuel Adjustment Provisions in FPC Rate Schedules. Docket RM-75-29. Supplemental Comments. October 7, 1975. (CWPS-87).

Council comments on Fuel Cost Data. October 14, 1977. (Unnumbered).

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA)

Coastal Energy Impact Program Qualifications for State and Local Governments. November 22, 1976. (CWPS-210).

Council comments to the National Marine Fisheries Service evaluating regulatory alternatives for fishery management. July 16, 1980. (CWPS-382).

TENNESSEE VALLEY AUTHORITY (TVA)

TVA Proposes Rate Increases. May 17, 1978. (Unnumbered).

Council sent letter to Chairman of TVA concerning the possible downward adjustment of their rates. June 13, 1979. (CWPS-324).

LABOR

DEPARTMENT OF LABOR (DOL)

An Analysis of Certain Aspects of the Administration of the Davis-Bacon Act. June 25, 1976. (Unnumbered).

Council comments on DOL proposal to increase the salary test levels used in detrmining overtime requirements under Fair Labor Standards Act. June 12, 1978. (CWPS-277).

Council Analyzes Steel Settlement. June 1, 1977. (CWPS-245).

Council Analyzes New Contract in Communications. October 14, 1977. (CWPS-256).

Council Analyzes Longshoremen's Contract. January 23, 1978. (CWPS-262).

Council Study of Inflation Impact of Recent Labor Settlement in the Bituminous Coal Industry. April 14, 1978. (CWPS-274).

Council Criticizes Wage Settlement of IBEW and Electrical Contractors in San Francisco Bay Area. June 1, 1978. (CWPS-275).

Council's Final Analysis of the Labor Settlement in the Bituminous Coal Industry. June 1, 1978. (CWPS-276).

Council comments to DOL recommending additional analysis of proposed regulations defining pension plan assets. February 27, 1980. (CWPS-365).

Council comments to DOL on proposed regulations ensuring nondiscrimination on the bais of handicap for programs funded by DOL. March 4, 1980. (CWPS-367).

COUNCIL REPORTS FILED ON BEHALF OF THE REGULATORY ANALYSIS REVIEW GROUP (RARG)

Council Submitted RARG Report to OSHA on Acrylonitrile Standard. May 22, 1978. (CWPS-272).

Report to EPA on proposed revisions to the National Ambient Air Quality Standard for Photochemical Oxidants. October 16, 1978. (CWPS-291).

Report to DOT on proposed regulations on nondiscrimination on the basis of handicap. October 23, 1978. (CWPS-293).

Report to OSHA on proposal for the Identification, Classification, and Regulation of Toxic Substances posing a potential Occupational Carcinogenic Risk. October 25, 1978. (CWPS- 296).

Report to DOI on proposed Surface Coal Mining and Reclamation Permanent Regulatory Program. November 27, 1978. (CWPS-299).

Report to EPA on New Source Performance Standards for Steam Electric Powerplants. January 15, 1979. (CWPS-302).

Report to DOE on Proposed Regulation to Implement the Powerplant and Industrial Fuel Use Act. March 12, 1979. (CWPS-311).

Report to EPA on proposed regulations concerning Hazardous Waste. March 19, 1979. (CWPS-312).

Report to DOE on Interim Rules Converting Electric Powerplants and Major Fuel Burning Installations to Coal. October 31, 1979. (CWPS-347).

Report to Food and Drug Administration (FDA) on proposed rules on labeling requirements for prescription drugs. November 6, 1979. (CWPS-348).

Report to the Environmental Protection Agency (EPA) on its proposed policy for identifying, assessing, and regulating airborne carcinogens. February 21, 1980. (CWPS-363).

Report to the Environmental Protection Agency (EPA) on its proposed effluent standards for the leather tanning industry. February 25, 1980. (CWPS-364).

Report to the National Highway Traffic Safety Administration (NHTSA) on its proposed 1983-85 fuel economy standards for light trucks. March 31, 1980. (CWPS-373).

Report to the Department of Energy on proposed energy efficiency standards for new buildings. May 1, 1980. (CWPS-378).

RARG REPORTS (Continued)

Report to EPA on Proposed Regulations for Improving and Protecting Visibility in Federal Class I Areas. August 22, 1980. (CWPS-385).

Report to DOE on Proposed Energy Efficiency Standards for Consumer Appliances. September 15, 1980. (CWPS-386).

Report to DOEd on Bilingual Education Regulations. October 20, 1980. (CWPS-387).

Report to HUD on Property Standards for One- and Two-Family Dwellings. November 19, 1980. (CWPS-392).

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